

A
Large Review
OF THE
SUMMARY VIEW,
OF THE
ARTICLES



Exhibited Against the

Bp. of St. David's,

And of the Proofs made thereon.

By Robert Ferguson

*Quis ille tam confidens, aut tantis cervibus, qui audeat
Historiam usquequaque veram Scribere. Liss. Lib. 5. Epist.*

Epist. 11. and as the Poet saith, *Ubi illa simplicitas,
cujus non audeo dicere nomen. Juven.*

Cocus magnum abenum, quando fervet, paulla confutat trua. Titin.

Printed in the Year 1702.

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Large Review

OF THE

ARTICLES

OF ST. DAVID'S

AND OF THE PROCEEDINGS THEREIN

IN THE YEAR 1801, AS APPEARED IN THE

PROCEEDINGS OF THE SOCIETY OF THE

PROTESTANT EPISCOPAL CHURCH IN

THE YEAR 1801.

To the READER.

NO Man ought to be Surpriz'd, to find this *Discourse*, in which the *Bishop* of *St. David's*, is fully Vindicated from whatsoever the *Author of the Summary View*, hath charg'd him with, extended to the Length, and arisen to the Bulk, it is, and doth. Seeing as more *Dirt* may be *thrown* upon any person in a few Minutes, than it is possible for the best Artists in the Cleansing Trade, to Rub out, and to Wash off in some Days; so I held my self oblig'd, not only to Justify his *Lordship* with respect to all the parts of his *Episcopal* Conduct, but to make those reprisals on his Enemies, as may make them Veary, as well as Asham'd, of Acting the *banditi*, and cause them to Repent of beginning a *Piratick* War. Nor (as one is reported to have said to *Alexander* the Great) are they to be less esteem'd Robbers, who Assault and Plunder with Armies and Fleets, under the Cover and Protection of Quality, Grandure, or Commissions, (when that they perpetrate, is both Unjust in it self, and Contrary to all the Rules and Forms of the Laws of Nature and Nations) than they, who do their *Pad* on the Roads of Traffick and Commerce, or do Seise and Pillage whom-

soever they meet with, on the prospect of finding a retreat and shelter in *Magdascar*. Neither do they, who in *Masques* and *Disguises* Intercept Travellers, and take their Purse from them on the King's High-way, deserve the Hatred, *Hue* and *Cry*, and Prosecution of Mankind to that degree, as they who in the habits of their respective *Posts*, and with their distinguishing Colours and Badges about them, go a *Maroding*. And if the *Commission* Granted to the late *Capt. Kid*, could not (on his having departed from, and acted contrary to it) skreen him from being Try'd as a Criminal, nor prevent his undergoing the Just demerit of his Villanies; it is to be hop'd, that in a Case, whereas no Law had Vested some People, with an Authority for what they Claim'd a Right of doing; so their whole Procedure therein stands liable to many and weighty Exceptions; but that his *Lordship* of *St. David's*, will obtain the Justice of having the *Cause Re-examin'd* before such, who shall both understand Affairs of that kind better, than they who Assum'd the Cognizance and Juridical Power of them, appear to have done, and who in their sitting Judicially upon it, will Govern themselves by other Principles, than those of Passion, Prepossession, Pique and Revenge.

And

To the Reader.

And as the *Bishop* of *St. David's*, is willing to submit to all the Reproach, as well as the Loss and Damage, he shall be found Legally Obnoxious unto, provided he may have but a Fair and Impartial Re-hearing; so I do Solemnly promise, that if he be Convicted Guilty of any one thing, for which he hath been Defamed by many, as well as Sentenc'd by his Grace of *Canterbury* to stand Depriv'd; I will not only beg the Forgiveness of all those, of whose Persons and Actings I have given the Characters and Representations, I have done; but I will turn *Partizan* against the *Bishop*, instead of being an *Apologist* for him. But after a very diligent Inquiry into, and a very critical Examination of whatsoever was in *Proof Pro* and *Con* in his *Lordship's* Case, and what was Alledged and Offered in his Favour and Vindication, but refused and rejected; as I am as fully ascertain'd, as Religion Law, and Reason can make me, that he will be Declar'd to have been very Ill and Partially treated; so I am in no apprehension of being blam'd my self, for setting things in the light I have done, nor am I in the least dread of its turning to my Inconvenience, that when this Province *nemini* Terent. *obtrudi potuit, itur ad me.* In the manage of which, how I have acquitted my self, must be

To the Reader.

be left to the Judgment of the Reader, whose Favour I will no farther crave, than as it is more the result of his Understanding, than of his Affection, and the being Just to himself, rather than to me. However this I dare with great sincerity, as well as confidence affirm, that as I have endeavour'd to Write with that Unbiazdness, which every Honest Man ought; so my design hath been, at the same time I have been Vindicating an Injur'd and Oppress'd *Prelate*, to prevent the World's being Troubled for the future, with a New Set and Gang of *Lucy's*, *Meyricks*, and *Author's* of the *Summary View's*, &c. and have pursu'd the Advice, (as well, and as far as Season and Circumstance would allow) given me by the *Orator*, *Unjus aut alterius improbi supplicio, multorum improbitatem coercere.*

Cicer. 3.
in Verr.

The Reader might very justly expect, I should have given him some Remarks on the Conduct of *Dr. Oxenden* in the Proceedings against the *Bishop of St. David's*, (and the rather in that I had promis'd to do it) and that I should have also declar'd diverse things with less reserve, and more fully, than the State of Affairs would admit me to do, while part of this *Review* was Printing, and whereof I could therefore only venture to give short Hints, and dark Informations; But intending

To the Reader.

tending to Publish very speedily a *Traſt*, which is to ſerve as an *Appendix* to this; I ſhall both Adjourn the diſcharging what I am Indebted to that *Doct̃or* untill then, when I do aſſure him, that he ſhall not only have *Inter-eſt* Paid for, and with the *Principal*, but a very large *Gratuity* made him for *Continuation*; and I will alſo forbear untill then, the affording the *Reader* that farther and ampler *detale* of *Perſons* and *things*, which I am in a condition to Entertain him with. When and where I do undertake to make ſuch a compensation for all defects of that kind, as ſhall ſufficiently *Attone* for Omiſſions now. And with reſpect to the foremention'd *Doct̃or*, as it is Morally impoſſible, the World ſhould be altogether unacquainted with his Character, and thereupon not much allarm'd at any part of his Behaviour towards the *Biſhop* of *St. David* s, if they will but allow themſelves the comparing his *Congratulatory Poem on the Birth of the Prince of Wales*, with the Manner and Methods of his Treating him ſince the Revolution, and how Grateful he hath been in Words and Actions to that *Prince's* Father, the Late King *James*, who being as Gracious as any Sovereign ought or could well be, and withall more credulous and eaſy of Belief, than turn'd eventually to his
Safety,

To the Reader.

Safety, did on that alone motive, not only overlook and pass by all his *Actual* Transgressions, as well as Pardon the Guilt which he had deriv'd *ex Traduce*, but took him into his Royal Favour, and Preferr'd him. Which I take to be not unworthy of Her present *Majesty's Consideration*, forasmuch as it will not only give Her Advertisement, how far *She* may rely on the *Professions* of such an *Individual* Gentleman; but how little *She* is to Trust to the Protestations of too many of a certain *Party*.

A N

Advertisement.

I Am bound to do that *Justice* to the *Bishop* of *St. David's*, as to *Inform* the *Reader*, he never *saw* one Line of this *Discourse*, untill after it was *Printed*; so that *he* is neither *Responsible* for what some People may judge *Picquant* in it, nor for any *Weaknesses* and *Imperfections*, which may have attended the manage of it. And for the one and the tother of these, the *Author* (whosoever he is) believeth himself able, not only to justify whatsoever he hath written, but to give the Nation those further *Memoirs* of *Persons* and *Things*, with Relation to the *Proceedings* against that *Prelate*; as well as in reference to more important *Transactions* and *Affairs*; which should he be either allowed, or provoked to publish, will obtain him the *Testimony* of all men of *Sense*, *Honour*, and *Probity*, that he hath hitherto behaved himself with great *Reservedness* and *Modesty*.

A N

I N D E X.

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A N.

Inquiry into the Proceedings

Against the

Bishop of St. David's, &c.

THE many late inhumane and barbarous Invasions, made upon the Honour and Credit of diverse of the first Figure both of the Nobility and Gentry, and who do no less deserve than they do obtain, the sublimest Character of any in the Kingdom for Virtue and Justice, as well as for admirable Sense; and in whose conduct either Moral, or Political, the malice of their worst and most inveterate Enemies, hath not dar'd to pretend matter for the commencement of Criminal prosecutions against them; as knowing that all the Invektive obliquies, by which they have had the impudence to detract from their Innocency, Integrity, and Worth, and fraudulously to asperse them, are downright Lies and Fictions, without the least Foundation in Fact and Behaviour, which can administer Colour or Shaddow for the representing and exposing them so opprobriously, as some have had the ill manners, insolence and wickedness to do; I say that the Calumniating those in the manner I have intimated, whose laudable Qualities and irreproachable Carriage in all the Stations they have been called to fill, as well as their Civil Ranks and Dignities in the Nation and Government, should have been thought sufficient to have cover'd and protected them, from being blackned by virulent Tongues and Pens, may serve to prepare Mankind for the entertaining milder Thoughts of the *Bishop of St. David's* than this *Author* hath endeavour'd to possess them with, by setting him forth more

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ignominiously, and by giving a more scandalous *Abbreviate* and *Epitome* of his *Case*, than any of the very *Articles* in proof against him before his *Metropolitan*, had they been never so well attested, could have afforded Umbrage, and much less Evidence for. So that while we cannot avoid observing, how the best and greatest of the Kingdom, against whom no accusations have been advanced in the places allotted by our Constitution and Laws to receive them, are nevertheless not only daily Ridicul'd and Lampoon'd in Libells publicly vented, without any Animadversion upon the Authours and Dispersers; but are set forth under the Imputation of such Crimes unto them, as would seem designedly done, for the Enraging of the Mobb to Massacre and D^r Witt them; we are not to wonder, that the *Bishop* of *St. David's* who hath been proceeded against, and Sentenced, by a certain Assembly of Men, Stiling themselves a Legal and Judicial Court (some of whom were glad to be thought Vested with a Power answerable to their Inclination, for bringing him under all the Infamy, and for exerting all the Severity against him, they could) should have his *Case* Reported so sinistruously, partially, and with so much malice and venome, as the favourite partizan of those whom I forbear to name, hath been instigated by his own Injustice and Ill Nature, and influenced by the Authority and Wrath of his Patrons to do it. For notwithstanding all the obliquities of want of Candor, Impartiality, Truth, and Righteousness, wherewith I shall have occasion to charge the *Author* of the *Summary View* &c. Yet I'm oblig'd to confess, that he is not the alone and single Writer guilty of those and the like criminal Offences. For proof whereof, I will not defile Paper, and dishonourably expose my Country, by Citing the many slanderous *Libells*, wherein not only the most Eminent *Patriots* of our Rights, Laws and Liberties, are branded for *French Pensioners* and *Be-trayers* of the Nation to a Foreign Monarch; but the plurality of the *Members*, of the *House of Commons*, and many of the *Peers* who are most esteemed for excellent Knowledge, and incorruptible Justice, are stigmatized for being Traitors unto, and Rebels against the King and Kingdom. For conniving at which, I may assume the liberty to say, that both the Wisdom of the Government is come to be greatly Reflected upon, and the Authority of those Empower'd to take cognizance of those immoral and illegal Licentiousnesses, and arm'd with strength

to punish and restrain them, is undecently arraigned and censur'd. Instead therefore of calling over the List and Catalogue of the many Insolent and Slandrous Papers of that kind, which do no less disgrace the Nation, than they defame those who are the chief Ornaments of our Church and State; I shall only crave the freedom to beg of them, who have not sacrificed all that ought to be accounted valuable and sacred among men and Christians to a peevish and revengeful humour, and to a corrupt Secular Interest, that they would vouchsafe first to peruse, and then without prepossession and prejudice to declare their free and natural Thoughts of the *Libell* call'd the *Patriot Vindicated*; and by that (wherein all the accusations, heap'd together against and illustrious *Peer*, whose Parts and Conduct give a lustre to that honourable Order, are universally known to be no less false, than they are detraactive) to judge how little credit is henceforth to be given to those who write in behalf of the Faction, in whose favour the Scribler of that Paper has abandon'd the province of a Loose, Smutty and Satyrical Poet for that of being a shameless Calumniator and Reviler in Prose. I have the more avowedly mention'd this *Libell*, whereas I have barely insinuated the manner other, in that if I be not greatly mistaken, as the *Bishop* of *St. David's* was both Judicially prosecuted, and the *Summary View* &c. written and published, upon the motives of Spleen and Indignation against him, because of his not being thoroughly dipt into Whigg Principles, nor brought intirely over to surrender his own Judgment and Reason in all Parliamentary Transactions, to the Sentiments and Guidance of the leading and imposing men, who bear the Title of Spiritual; so the honourable *Peer* attack'd and fallen upon in the *Patriot Vindicated* &c. is therefore more distinguishingly than others, singled out, to be the object of the impudent Calumnies of those of a certain Faction, by reason of his undaunted and strenuous appearance both in the House of Lords, and every where else (where his Quality and Posts give him a Right to be and Act) for the peace, safety and prosperity of his Country and for the preservation of the Monarchy, and of the Church as by Law establish'd. And they must have either lost their Understandings, or have them wofully perverted and misled by selfish, covetous and factious Principles, who do not plainly discern, that the main end and design

See the
Taunton-
Dean Letter.

drove at and pursued in all the late Whigg Scurrilous Pamphlets, is in order to the maintaining, encreasing and enflaming of National differences, and for reducing the King and the Regal Authority and Power to the incongruity and impracticableness of being supported and defended by *Republican Hands*; who never did, nor will serve Princes, farther than they can serve themselves upon them; and as they have hopes and prospects, that thro' their pretending to be in the Interest of the Sovereign, they shall gain opportunities and advantages for undermining and subverting the Sovereignty.

But the Honest, Impartial, and unbias'd part of Mankind, under whose perusal, the *Summary View* &c. hath fallen, will not only find reason to abate in the Surprise and Amasement, but to lay aside all the hasty unkind thoughts, which the Misrepresentation given therein of the *Bishop of St. David's Case*, may have occasion'd, and led them to Entertain, if they will but allow themselves to observe, how this Party and Faithless way of Characterizing persons, and Recording affairs, in a direct Contradiction unto, as well as a departure from, all the Lines and Measures, prescrib'd us to be inviolably adhered unto and kept in the writing of *History*, and in the transmitting matters of Fact to Posterity, is Authorised, as well as Ligitimated by the Famous *Historical Prelate*, who in the Quality of an *Assessor* in the Proceedings against the *Bishop of St. David's*, Instigated and Exited the *Arch Bishop of Canterbury*, to the pronouncing that Illegal, unjust, Exorbitant and Unsustainable Sentence, which the *Pamphlet* I am Arraining, hath been Emitted to give Countenance unto and Justify. For that *Man of Latitude* in other things, as well as in those of a Religious and Ecclesiastical Nature, hath both Warranted and Sanctified it as a Patern of writing which any may Venture to Copy and Imitate, namely, *That an Historian who favours his own side, is to be forgiven, tho' he put a little too much Life in his Colours, when he sets out the best side of his Party, and the worst of those from whom he differs; and if he but slightly touches the failures of his Friends, and severely aggravates those of the other side; and that tho' in this he departs from the Laws of an exact Historian, yet this Bias is so Natural, that if it lessens the Credit of the Writer, yet it doth not blacken him.* For as the Phrases of setting out the best side of a
Writers

Reflect. on
the Hist.
Varillas.
P. 78.

Writers Party, and the worst of those from whom he differs; and of lightly touching the failures of his Friends, and of severely Aggravating those of the other side, need no Paraphrase or Commentary upon them, for the explaining the unbounded Licence granted for Flattery in the *one* Case, and Defamation in the *other*, and for Falsehood in *both*; so we need not wonder, either that he himself, should in those Historical writings, with which he hath Entertain'd the World, have so frequently practis'd his own Maxims, that nothing he can now Relate, will be receiv'd and trusted unto upon his bare Authority; or that they who Vallue themselves on Regulating the Moral part of their Lives, and the adjusting the manner of their writing of Persons and Things, to the Libertine Measures he hath allow'd them; should in the room of Giving us true and just Narratives of Men and Transactions, abuse us with Romantick Panegyricks in behalf of whom and what they Favour; and with Fabulous Satyrs, and Invectives, on whom and what they dislikes. For if few even of those, who do most Conscienciously conform and circumscribe themselves, to a strick observance of the Rules Dictated by Natural Honesty and Justice, and Prescrib'd, as well as Recommended, by the Unanimous Agreement and Consent of all the Learned and Virtuous part of Mankind, to be attended unto in the Writing of History, namely, *Ne quid falsi audeant; & ne quid veri non audeant; & ex aliarum infamia voluptatem nondum capiant, sed quæ ad redimenda sive excusanda illorum peccata pertinent*, ponant; do so fully act up to the Obligations they have laid upon their Consciences as they ought; we may easily imagine for the exercise of what Licentiousness, and the practice of gross Prevarications, such will take and claim a Liberty and Indulgence, who have set their Consciences loose from the Ties of being Exact and Impartial; so that Men may as reasonably go to learn Religion, and the right way to Heaven from the *Alcoran*; as to apply for the knowledge of matters of Fact from Authors that challenge a freedom of using the foregoing Latitudes, or hope for a True Representation of the Bishop of *St. David's* case by the *Summary View*. For as in their Representation of Persons, which with whom they are United in a Faction and in a Conspiracy together for the promoting of Secular Ends, shall be brought forth with Rays about them of Angels of Light, while they against whom they bear the least Pique,

Pique, tho' for nothing else, than the not according universally with them, in their Selfish and Little Politicks, shall be exposed in the shape, and under the Character of Devils: So in their delivering matters of Fact, instead of reporting things as they nakedly were, they add unto, detract from, and alter them, until they have transformed them into what they would have them believed to have been; and in so doing, give us *Fables* in the room of *History*. And this without considering in the mean time, that besides the wrong they do thereby to those whom they Defame, and the Injury they commit against Future Ages, as well as the present, that they make themselves willfully Guilty of what will be most Disgraceful here, and Penal hereafter unto themselves.

Nor will any, who desire to be esteem'd either Just or Good Natur'd, suffer themselves to be much impres'd, by the Destructive Invidious Reflections made upon the *Bishop* of *St. David's* (by a Person whom I know not how to stile, whether Priest or Laick, seeing he comes abroad without a *Fiocco* and nameless, tho' he writes not only under the Protection of those in Power, and with a prospect of being Rewarded and Preferred by them for his Service) after the said *Bishop* had been Criminally Articled against, and brought under an Arraignment before his *Metropolitan*; if they will but admit themselves farther to consider, what a scandalous Liberty, the Men of Faction, and Party even of the *Clerical Tribe*, have usurp'd in blackening Multitudes of the very *Sacred Function*, against whom no Accusations in Legal ways have ever been any where entred. For not to mention some of the highest Order of the *Church*, who it is to be fear'd, that they may the better pass Unsuspected of Ignominious Offences themselves, have taken all the occasions they could any ways lay hold on, of running into invective Declamations against many of the *Inferior Clergy*, as being scandalously Immoral and Wicked, without Particularising whom they meant; I shall confine myself to the taking notice how *Dr. Wake* (who both stands upon the same Level with such of his Bretheren as are only of the Order of *Priesthood*, and whom neither his Intellectuals, nor his acquir'd Learning, do much elevate above the meanest sort of them, unless we allow him a considerable share in the *Latter*, for having been a sedulous Reader, without Judgment, a Laborious common placer without skill and exactness; and a voluminous

voluminous Transcriber from *Adversaria* without a hindrance to Truth) thought fit to implead and expose them, as Persons who have Scandalously departed from the Rules of their Holy Profession, and are fitter to be cast out of the Church, than to Officiate in it. Wherein, thro' having notoriously Trespass'd against the Law of Charity, he gives but a very slender Proof of his own Piety, it being commonly found, that as the Ignorant are the most Dogmatical, so Hypocrites are the most Censorious. Nor doth it recommend either his Wisdom or Justice, to have thrown forth at random such Contumelious and vile Aspersions against a Community without naming those whom they were intended to affect; seeing they are both liable to be Constru'd by the Enemies of the Church, as far more largely extensive, than it is hop'd he design'd them, and may too probably be applied by such as Dissent from the Established Ecclesiastical constitution, to the tainting the Infamous Accusation upon Persons whose Lives are patterns of Virtue and Holiness, as well as on those who may justly deserve to be Reprimanded and Censured. And that diverse of the former are struck at by these Blackning and Detractive Characters; we are sufficiently Instructed by the Description he gives of those against whom he Writes, of *Their being a Noisy and Turbulent Party, that set up themselves for Judges among us*, (which I dare say, the Signally Immoral and Scandalous, never attempted to do, nor sought to appear to be) and whom, by reason of what Crimes I know not, unless it be for their not joyning with a *Latitudinarian* Faction in giving up to the *Nonconformists* the Discipline, Ceremonies, and whatsoever either Constitutes, or distinguisheth the Church of England from meer Tolerated Assemblies save their Lordly Titles, Parliamentary Rights, and ample Revenues: and for their not uniting in a Conspiracy with the Prelates and Clergy, who are for Sacrificing the Pontifical to the Regal, and for their Abandoning to Laicks and Civil Powers, the Authority and Jurisdiction, which our Lord Jesus Christ vested in his Church, and without the Claim unto, and Preservation whereof, it can be no Society distinct and Separate from the World, subsisting previously, and Independently unto and from the Grants and Concessions of Princes and Potentates, which the Blessed Jesus who is the King of, and Lawgiver unto it Instituted it to be: I say whom Dr. Wake therefore represents

See his
Appeal.
p. 8.

Ibid.
P. 117.

for

Ibid. for being of busy Tempers, and froward Men; and that the only way to deal with them, is to let them know, that they are unworthy of the Protection of the Government. So that we are not to wonder, to find the Bishop of St. Davids, against whom a Process hath been carried on, and a Sentence denounc'd, expos'd to the world in the ridiculous and Scandalous manner, in which the writer of the *Summery View*, for the gratifying and serving of a Party, hath had the unmanerlinefs and Injustice to represent him; seeing neither the Learning, Innocency nor Emnient Piety of such, who refuse coming into the Factioned Measures of a certain Tribe of Ecclesiasticks, are sufficient to secure and cover them from being Ignominiously Black'ned, and Slanderosly Treated, and from being Draged by a set of Men (who that; may use Tacitus's phrase) *Aliis infamiam parant, ut Gloriam sibi acquirant*, raise infamous reproaches upon others, that they may purchase credit themselves) to the Tribunals of thole cloathed with Judicial power, to be made publick Victims of. And all who are unprejudiced and Impartial, may easily ascertain themselves, upon what chief Motives and Inducements the said Bishop hath been so distinguishingly, and without Example or Precedent, Prosecuted and Deposed, if they will but submit to the Trouble, First, of remarking in what Dismal and Hideous Colours, *He* and Others of his Political and Ecclesiastical Principles and Conduct, are Painted forth by Dr. Wake, of being engag'd in a different Interest from the Civil Government, and of complying with the present Church, not out of Conscience to their Duty, or any love they have for it; but because they cannot otherwise keep their Preferments; And Secondly, of considering to what kind and degrees of rigorous Punishment, the Bishop of Sarum would have such to be adjudged, namely that they should neither meet with Mercy nor Justice; and that the Popish Priests should be Treated with more Lenity than they. Upon which not only unchristian but inhumane representations of their Bretheren, and as well enflamed desires, as unmanly and brutal endeavours, of rendring them obnoxious to the wrath of the Government, and of getting them to be made the Subjects of the utmost severity; all the Reflections I will make at present, shall be in the Words of the *Historian*, that as in relation to the begetting and fomenting of intestins misunderstandings and Civil dissentions, *pessimo cuique plurima vis*, the worst men are ablest to do most; in that pro-

See Ap-
peal. Ep.
Ded.

Discours-
es on Fu-
neral Serm.
Append.
N. 1.

Tacit. Lib.
4.

projections of such mischievous tendency, can neither be enter'd upon, nor carried on *per bonas artes*, by fair and honourable means; so we do always find, that such who Promote and hope to find their Interest in National and Church Divisions and Animosities; *Eorum causa acriores, quia Iniquæ*, their Allegations and Aspersions are the more virulent and Brutal, in that the matters for and unto them, are groundless and unjust. However it is some comfort to them, who are thus traduc'd, calumniated and mark'd out for Punishments; that they who were both greater and Holier men, than they have the Vanity to desire to be accounted, have been Detracted from, despised, and brought into Sufferings by such as laid Claim to no mean Stations, and assumed no small Characters in the Church.

And it is enough to beget a very Just prejudice against all the proceedings in the Case of the Bishop of St. David's; and to raise a well Grounded distrust of the Truth of all the Allegations upon which he is represented so Scandalously in the Summary View &c. if men would but allow themselves, to compare the passionate manner of Acting towards, and the rigorous Sentence against the Bishop of St. David's; with the temperate and gentle Methods of pursuing, and the Trivial and Slight Punishment inflicted upon the Bishop of St. Asaph. For nor to bring at present into debate, whether He, who singly and alone Assumed the Sole Juridictive Power in each of their Cases, preclusively not only of a Convocation, but of the very Comprovincial Bishops, as to any Authoritive and Judicial Right acknowledged in them, in relation either to the Cognizance of the Causes, or the Definitive Sentences, which were respectively pronounced, hath not usurped a Juridical Right, which neither the Canons of the Church, nor the Laws of the Land, do admit, seeing as the Determination with Respect to the Former, must stand referred to the Judgment of the Clergy Legally Assembled, and suffer'd to Act with Freedom; so the deciding with Reference unto the latter, remains depending in one of the Westminster Courts, waiting the Opinion and Sentence of those who sit on the Exchequer Bench, and may possibly at last come before, and be finally adjudged by the high and Supream Judicature, which is the *dennier Resort* for all Causes; all that I will now insist upon, and recommend to the Readers observation is, that whosoever lays Claim to the Title of a Judge, and takes upon him the Execution of the Office of one, ought in all

Causes, and in relation to all persons, to behave himself *Equally* and *Impartially*. And that I may not enter upon a Province, which doth not properly and directly belong unto me ; nor appear to break in upon the Prerogative of those of the *Clerical Order*, in calling upon the great *Metropolitan*, and those *Ecclesiasticks* who approve his Conduct in the foremention'd Causes, to the Remembrance of the Commands and Rules, enjoined and prescribed in the Scripture, for the Government of such, who are Cloathed with, or that do assume unto themselves a Judicial Power, namely *that they shall not Wrest Judgment, nor Respect Persons ; but that in Righteousness they shall Judge their Neighbor ; and whatsoever is altogether Just, that shall they follow*, for as much that the being accurately conversant in the Bible, is by reason of their Character in a most special manner incumbent upon them ; I shall therefore content my self with giving the Sentiments in this matter of *one* out of many, who was altogether a stranger to the Divine and Revealed Laws. For even such, whose unhappiness it was to be left and abandon'd to the Dictates of meer natural Reason, have nevertheless by hearkening to the Reasonings of their own Minds, from and upon the self Evident Principles that men were made for Society, and that we enter into Communities for the obtaining of protection, and the Prevention of being Injured ; and that as without the Granting unto, and the placing a Legislative and Judicical Power in some, those Ends can no wise be compassed ; so none can be safe, where Laws and Justice are neglected, or perverted by them, who are Chose and Ordain'd to Execute them ; acquir'd sufficient Light and Conviction for telling us that in all Causes whatsoever, Judges are to proceed and Determine, *Sine amore, & sine cupiditate, & rursus sine Odio & Invidia, without Bias and affection, and without Envy, Pique, or Hatred* : And that in their Judicial Capacities, they are to consider, *Quid deceat, & non solum quid possint, What in point of Equity, Honesty, and Right becomes them to do ; and not what might and power may carry them forth with Impunity in the perpetration of ;* and that the first and main thing requir'd in such, as would approve themselves Upright Judges, is that in their going upon the Trial of those who stand Accused and Arraigned, *Ne quid præjudicati afferant, sed ex ipsis causis Judicent, neque ad causas Judicia jam facta domo deferant, They may not act under the Influence of Prejudice*

Exod. 23.
6.

Deut. 16.
19, 20.

Cicer Orat.
pro Mr.
Marcel.

Id. Orat.
pro C. Reg.
bir. pofok.

Id. Orat.
pro A. Clu-
mie.

judice and Prepossession, nor bring Forestalled Opinions, taken up and entertain'd upon Vulgar and Common Fame, to Benches and Tribunals with them. And as Ambrose expresses it, *Ne quid paratum domo deferant*, That they bring not Resolutions concerted and agreed upon, in Cabbals, and in Closets, to Judicial Seats, but that they do wholly lay aside, not only the Prepossessions and Prejudices of Enemies, but all those human Affections, by which they are liable to be Bias'd: In that, they of the exactest Integrity, will find it a matter of great difficulty, to avoid the having their understandings, and thereupon their very Juridical Sentences, influenced by the meekest passions, and the minutest Interest. And as Livy words it, *Suas similtates, pro Magistratū exercere, non boni Exempli esse*; That it is of pernicious example, and may be of fatal Consequence, for Persons in the Exercise of Judicature, to Act in the Vertue either of Piques, or of meer Jealousies; so the same Author hath left it as an Infamous and indelable Brand upon the Names and Memory of the Decemviri, That *Hominum, non causarum toti erant, apud quos Gratia vim aequi haberet*; & *quod Judicia Domi constabant, quae pronuntiabant in foro*; They consider'd only Men, not Causes; Favour with them Usurping the place of Justice; so that the Sentences they Pronounced, when acting in their Judicial Capacities, were such, which a Respect for Parties and Factions, and a concern for their own Private and Personal Interests, had corruptly sway'd them, previously to the hearing of Causes, to Resolve upon at home. These were the Reflections that the very Heathens made, in pursuance of the Rules, by which They, as well as all others since, do account them oblig'd and confin'd to Act, who stand intrusted with a Power of Judicature. And therefore they not only Painted Justice with a Ballance wherein to Weigh Causes and not Men; but they likewise represented her Blind, that she might not discern nor consequently Respect persons. Accordingly those Judges so much renowned among the Grecians, who mete in the Areopagus, were wont to sit at Midnight, to intimate that no knowledge of, or regard for Persons was to Influence them in the Judgment they were to give; but that they were to pronounce Sentence answerably to the alone Merit, or the Demerit of the Cause as it appeared unto them upon a full and impartial Hearing. For Judges being *Viva Lex*, they ought to be like the Law it self, which is without Passion and Partiality. So that they, who do not only

Lib. 39.

Lib. 3.

Serm. on
the 5th of
Novem.
1678.

profess themselves *Christians*, but are exalted to the Dignity and Office of *Bishops* in and over the Church, do by their departing from the Lines and Measures, accorded among, and Established by *Pagans*, all that lies in them, for bringing such a reproach upon Revealed Religion, *that it were better*, If I may be allowed to use the words of Dr. Tillotson when Dean of *Canterbury*, *that humane Nature should be left to the Conduct of its own Principles and Inclinations, than be Acted by a Religion, which prompts men to Supplant Moral Righteousness, and which is made a Band of Conspiracy for enflaming their Tempers to Fierceness, against such who cannot think and say as they do.* Which many of the most Learned, Virteous and Judicious of the Kingdom, do not forbear affirming to have been practis'd and done in the Virulency and Partiality of the pretended Juridical procedure against the *Bishop of St. David's*, compared with the manner of dealing with the *Bishop of St. Asaph*, whose Enormities of gross *Simony*, were numerous, flagrant and also uncontroversibly attested and proved; whereas that whereof the *Bishop of St. David's* was accused, as well as all the other Offences alleged against him, had only some weak and slight Appearances in them of the Crimes, they were maliciously and enviously stiled; and none of them (as shall be Evidently demonstrated in the following Sheets) made Legally out by any Witnesses, whose Testimonies should have been admitted. So that whereas both the *Bishop of London* and the present *Bishop of Coventry Dr. Huff*, who were Assessors to the *Arch-Bishop* in the Tryal of the *Bishop of St. Asaph*, gave their opinion that he was Manifestly Guilty of Various and heynous *Simonies*; the *Former* of these two Right Reverend Prelates, as also the Right Reverend the *Bishop of Rochester*, who had bore the same Character to the great Metropolitan in the proceedings against the *Bishop of St. David's* declared it as their avowed Sentence; after a full hearing of all that was brought in proof of what he stood Charged with, that he could not be held Legally and Juridically Convicted either of *Simony* or of any of the punishable Offences, whereof he had been accused. And that some other of those Prelates, who were likewise Assessors to the *Arch-Bishop of Canterbury*, in the Trial of the *Bishop of St. David's*, gave a more severe and rancorous Opinion of his Case, we shall the less wonder, if we do but vouchsafe to consider in how many Causes Judically before a more Honorable

rable and a Supreamer Court, they have not only Harangu'd
 and inveighed against persons, upon the single score of Political
 difference, but have given their *Verdict* according to what
 they apprehended the Men to be, without having the least
 regard to the Justice and Equity of their *Cases*. Whereof,
 if any shall be desirous to know the many and Remarkable
 Instances, I do promise, that upon demand; and the allot-
 ment of a safe Stage, they shall be abundantly furnish'd with
 them. And as upon Preconceiv'd and Pretended Induce-
 ments and Motives of that kind, the *Bishop* of St. *David's* had
 frequently rendred himself Obnoxious to the Pique, Indigna-
 tion and Revenge of some People; so the *Bishop* of St. *Asaph*,
 thro' hearkning unto them, as so many Oracles, and falling
 implicitly into their Sentiments, and causing no discord in
 the Musick of a certain Bench, had deserv'd their Favour and
 Grace, tho' to the wrong, and at the Expence of Justice.
 And indeed, *his* being the day before he was to undergo
 the Sentence of his *Metropolitan*, one who in concurrence
 with the Majority of the Bishops, especially with the Plurali-
 ty of those, that had been Selected and Appointed to be at
 the Hearing of his Cause, a not Guilty and Absolving Spi-
 ritual Peer of those Lords who stood Impeached by the House
 of Commons, did both sufficiently attone for all his Crimes, and
 qualify him for the mercy of being meerly *Suspended*, and that
 for a short time; whereas the *Bishop* of St. *David's*, whose Trans-
 gressions, had they been Prov'd, bore no Proportion to *his*,
 had upon some Mens remembrance of his often spoiling the
 Harmony of their Votes in the upper House, and particularly
 by giving his *Dissent* to the *Attainder* of Sir *John Fenwick*,
 been not only *Deposed ab Officio*, from the Order, Dignity and
 Office of a *Bishop*; but shut out and Excluded a *Beneficio* from all
 his *Temporalities*, and from the Honours he had Right unto per
Servitium Baronia. Surely as they did not in these Irreconcil-
 able and Contradictory ways of proceeding, Try so much
 Causes, as they did Men; so they seem to have too much for-
 gotten, that the Function of Judges is Sacred, and that God
 stands in the Congregation of such; and that they Judge not for
 Men, but for the Lord, who is with them in the Judgment; to Re-
 ward them if they Judge Rightly, and to Punish them if they
 do otherwise, and in both Cases, watchfully to observe
 them.

Further,

Further, the whole *Proceedings* against the *Bishop* of *St. David's*, cannot escape the lying open to a great deal of *Suspicion* and *Prejudice*, nor miss falling under very severe *Censures*; if the *Characters* of the *Promoter*, and of those who were the *Principal Witnesses*, be but duly enquired into, and seriously considered. And therefore that they may be set in a *Light*, wherein they may stand fair to an impartial *View*, and appear represented in those proper *Colours*, which may contribute both to the preventing such, from being imposed upon, who are desirous of obtaining that *Information* which may justify their continuing with a *Persevering* *steadfastness* in the *Belief* of the *Bishops Innocency*; and likewise to the undeceiving and Rectifying the *Judgments* of those, who upon the *Faith* of *Uncredible Witnesses*, and the *Authority* of *Irreceivable Testimonies*, have suffer'd themselves to be misled into an *Opinion* of *His* being *Guilty*, of all that was *Articled*, and *Deposed* against *Him*; I say that I shall therefore briefly call over the *Qualifications*, which are indispensably required both in them who are the *First Accusers*, and to whose *Province* it belong'd to be the *Searchers* out, and *Musterers* up of *Evidences*, whom in *Processes* in *Ecclesiastical Courts*, we commonly stile *Promoters*; and also in such, who are to be held *Testes idonei & habiles*, *Witnesses* of *sufficient Reputation* and *Credit*, for the having their *Testimony* admitted and relied upon. And forasmuch as *Testibus, non Testimoniis Creditur*, That no *Depositions* are to be *Judicially* received and proceeded upon, because of their being made and *Sworn* unto; but because of the *Opinion* and *belief* entertain'd of those who are the *Witnesses*; thence it is that all who have *Written* concerning the *Proceeding* and *Acting* *Judicially* upon the *Evidence* and *Authority* of humane *Testimonies*, have *Universally* accorded on some certain and peculiar *Moral Dispositions*, *Qualifications* and *Perfections*, required in such as are to be esteemed *Good* and *Legal Witnesses*, and accounted *Entitled* to the having *Faith* giving unto what they *Swear*; and have also laid before us, for what *Crimes*, *Enormities*, and *foresignified* *perverse Propensions*, and *ill Inclinations* of *mind*, *Persons* appearing in the form of *Witnesses*, are to be *precluded* and *debarred* from having their *Depositions* *Credited*. Nor will I carry it so far in that matter, as the *Roman Orator* did, that they, *qui ab altero rationem vita reposcunt, legem sibi indicent Innocentia virtutumq; omnium*

Cic. Lib.
3. in Ver-
rem.

nium, They who take upon them to search after Miscarriages and Faults in the Lives of others, and to accuse them of Criminal and Penal offences, be not only Guiltless themselves, but adorn'd with all Moral and Social Vertues: But I will content my self with the Exacting of much less, and only require that they be not Chargeable with Faults and Enormities, which do either render them Infamous, or which upon other accounts make their Testimonies altogether unworthy of being Credited. For as *Infamia notatis in Judicio loqui non licet*; such as are declared, or held to be Infamous, are not to be allow'd for *Testes probi & Legales*, Good and Legal Witnesses; in that they are such (if I may use an Expression of Cicero's) *Quos socios ad Epulas nemo habere velit*, Whom none would choose to Eat with, or admit for Companions at an Entertainment; So it is not unworthy of Remark, that the Civilians do all agree, that there is a Twofold Infamy, whereof they stile the one *Infamia Juris*, and the other, *Infamia Facti*, and that they do withall lay it down as a Rule to be attended unto, in all Judicial Proceedings, that altho' some may not be Infamous in the First sense, as not being Branded for such by any Juridical Sentence, yet that they may be, and often are so in the Latter; and that being such, there is not that Belief to be given unto their Testimony, as is due to the Deposition of Virtuous Men. And therefore it is, that so many Provisions have been Universally condescended upon, as needful to be required in all such, as shall be admitted for Lawful and Competent Witnesses; of which it will not here be amiss to mention some: Namely, that they be not such, who (in Tacitus's Phrase) are *præmiis illecti*, Gain'd thereunto by Antecedent Bribes, or by Promises of future Rewards. For whosoever under the influence of either of these, shall be made appear to depose in any Cause, they are in the opinion of all Civilians, to be rejected from being Competent Witnesses, even tho what they should Swear were True. Yea so severe are the Civilians in that Case, that they will have the very attempting to Bribe and to Suborn one, to be sufficient to render the Depositions of all others in that Process, insignificant as to the making Proof of what they Swear unto. Nor are they to be held Good and Legal Witnesses, who come within the Circle of those whom Cicero describes, when he tells us, That *Testibus Cupidis, Iratis, Conjuratis, & ab Religione Remotis, non est Credendum*, No Credit is to be given to those, who upon Pretence of having been Injur'd, have

Philipp. 5.

Vid. Ful.
Clar. Sent.
Lib. 5.Vid. Didac. a Co-
var de
Sponsal.
par. 2.
Cap. 3.

An. Lib. 4.

Ful. Clar.
Lib. 5.
S. Falsum.
Ibid. Ad-
dir. p. 346.
Orat. pro.
M. Font.

Vid. Ma-
fear de
probar.
Concl.
89%.

thereupon entertain'd Wrath and Hatred, so as to express a desire and purpose of being Revenged. For avowed Enemies, are by Civilians neither allowed to be Relevant Accusers, nor competent Witnesses. And whosoever they are, that do first industriously and publicly Defame, and then afterwards, come Judicially either to Accuse, or to Depose against those, whom they had Calumniated, they are to be look't upon as persons Acting too much upon motives of Enmity and Revenge, to be Believ'd in any thing they say. For were there even some Truth, in what they pretend to give either Information or Proof of, yet the Hatred and Revenge by which they are Influenced and Hurried thereunto, do render them altogether unqualified to be Believed. Yea, it is further provided by such who have written concerning Judicial Proceedings in Criminal Causes, that *Ne Testium studium cum Accusatorum Sociatum sit*, Witnesses be not apparently engag'd in a Combination and Conspiracy with the Accusor or Promoter. And as the Civilians tell us, that whosoever undertakes to be a Witness, thro having been Previously Advised or Counsell'd thereunto, is to be accounted as One that is Suborn'd; so they do farther add, that the bare Representing unto any of what Advantage it may be unto Him, to give Testimony against such a Person in this or that Process, is plainly and directly to be a Suborner. And that as thereupon the Accusations of the One, and the Depositions of the Other, are to be no otherwise esteem'd, than as Invented Slanders and studied Fashoods; so the Learned Authors who have laid us down the Rules, by which Courts of Judgment are to be Govern'd in Judicial Proceedings, do unanimously agree in the Excluding those from being Legal Witnesses, against whom it hath been in Proof, that they had been Advised and Instigated thereunto. But withall, while they Debar them from being Competent Witnesses, in the Cases of those, against whom they are Produced; they do nevertheless allow their Depositions and Testimonies to be Good and Valid in Law, against such who did Advice them. It being a Received Maxim among Civilians, That *Subornato contra Subernantem credendum sit; & quod Testes corrupti contra Corruptentem sint admittendi*. Which I do therefore here mention, and recommend to the observation of the Reader, because I shall have occasion hereafter, to make some use and improvement of it. Whereunto I have yet farther to add, that it is Required by all Writters whatsoever, *Ne Testes sibi contradicant*,

That

That he who is a Witness, do not be found Contradicting at one time, what he said and Deposed at another; seeing as Cicero expresseth it, he doth thereby plainly shew, *pro Testimonio esse mentitum*, That instead of declaring what he knew to be true, he swore to a Falsehood. And therefore as Civilians have laid it down as a Rule according to which all Judicial Courts are to Proceed and Act, That *Testis qui in uno dicit Falsum, in totum est Perjurus*, He who Deposeth Falsely in one particular, (as he must needs do who Contradicts himself) is to be held for Perjur'd in all he Deposeth and Swareth unto; so they have likewise declar'd, That they who say one thing in Court, and the Contradictory to it else where, are not only to be held for Incompetent Witnesses, but to be look't upon as little better, than Forsworn and Perjur'd Wretches. And as the Qualifications I have been Representing, are such as do stand indispensably Prerequir'd in all who shall be receiv'd as Legal Witnesses; so the want of them in any of those who are brought to give Testimony in Relation to Persons or Causes, is accounted sufficient to detract from, and to blast the Credit of all others produced to concur with them in the Deposition of the same things. So that *Testium numerus, eorum defectum non supplet, licet quidam Testes non omnino repellantur*; let there be never so many Witnesses brought in Proof of the same Accusations and Articles, and some of them possibly not apparently Obnoxious to the Exceptions, by which others of the same Tribe, stand Excluded from the having Faith given unto their Depositions; yet even the former are not to be Believed, by reason that the latter are found to be altogether Uncreditable, if not Infamous. Nor may it be here amiss to subjoyn unto what I have observ'd to be Universally agreed upon, not only by Christian Civilians, but by Heathens who were guided by meer Natural Light, and who Acting under the sole and alone Conduct of their Reasonable Faculties, fell into, and united in the *Maxims* related for the Government of our Belief in reference to the Testimonies of Witnesses; I say it may not be amiss to add hereunto, what I find Declared and Recorded in the Canon Law, as Incapaciating and Disabling Persons from being admitted Witnesses against a Bishop, and for excluding and shutting out their Depositions from being receiv'd and believed, so as to be Judicially Relied upon in the pronouncing a Condemnatory Sentence. Namely, That *Qui Insidiator extiterit, non sit recipiendus Testis contra Episcopum*, He who hath Maliciously and

Treacherously endeavour'd to ensnare and supplant a Bishop, shall not be allow'd for a Legal and Creditable Witness against him.

Bern. Di- And that Clerici Conspirantes, & qui sunt Conspiratores contra
az practa suum Episcopum, Such Clergy-Men as are found to have Plotted,
Criminal. Combined and Conspired against their Diocesan, are not only to be
Canon. rejected from being esteem'd Competent Witnesses, but likewise
Cap. 109. that E gradu suo proprio abjiciantur, They are to be degraded from
their Priestly Order, and Deposed from their Ecclesiastical Functions.
Decret. And that they who are found to be Detractores, Sunt etiam
Par. 2. a Testimonio submovendi; Defamers shall be accounted unqualifi-
Cap. 8. ed for, and shall stand rejected from being Witnesses against a
Bishop, in reference to whom it hath been in Proof, That
they have labour'd to detract from his Reputation, and have sought
by clandestine Aversions to beget an ill Opinion of him, among such
who knew nothing of him, save what was Honourable and worthy of
Praise. And I will here take the liberty to say, that in this
Case, more than in any other whatsoever, the Rule and Mea-
sure agreed upon by Civilians, should be allow'd to take place
and obtain; Namely, That when Talis Infamia Facti, as the
See Ful. Calumniating and Defaming of a Bishop, is found to be Publica,
Clar. Sen. & publice sparsa & clamosa, Publick and Universally vented and
rent. Lib. spread, That then Non indiget probatione, There needs no formal
5. P. 72. Evidence for Convicting these who have been guilty of it. But to
proceed, it is also further provided for, and Ordained in the
Ibid. Cap. Canon Law, That Inimici & irati non possint esse Testes, ne noce-
3. Qu. 5. re cupiant, & se nicisci velint; Declared and Avowed Enemies, and
such who out of Pique, or because of Injuries supposed to have been
done them, have thereupon conceived Wrath and Hatred against a
Bishop, shall not be admitted Witnesses in any thing that may
affect him; in that it is likely, they will be inclinable and forward
to Depose any thing which may defame and hurt him, provided there
is any hope they may thereby avenge themselves. Moreover, it
Ibid. Qu. is expressly appointed in the Canon Law, That Quando ab accu-
10. satoribus multa Crimina objiciantur, & unum de quo prius egerint
probare non valuerint, ad cetera probanda non admittantur, Upon
Witnesses failing in the Proof of any one thing, wherein a Bishop
had been Calumniated, and whereof they had accused him, they shall
thereupon be rejected from giving Testimony against him in every
thing else. Finally, it is likewise Ordain'd in the Canon Law,
That

That *Qui non sint bonæ Conversationis, aut quorum vita est accusabilis submoveantur*; They (especially if of the Clerical Order) whose Lives are scandalous, and their Conversations fam'd to be Impious and Immoral, shall be debarred from being accounted Good and Lawful Witnesses against a Bishop. Nor are we to wonder, that *Civilians, Canonists*, and all who have written concerning Judicial Proceedings upon Penal and Criminal Laws, should be so Critical, as well as particular, in the Limitations, and Restrictions, which they prescribe unto and set on Witnesses, as so many Qualifications and conditions indispensibly required in and of them, antecedently to the having their Depositions and Testimonies admitted for Good and Legal; in that notwithstanding of all the Lights and Measures agreed upon; for the destruction of those who shall dare to Swear Falsely, and also notwithstanding all the Punishments, to which they who do so, are made Liable and Obnoxious; such is the Corruption, Wickedness and Malice of too many People of all Ranks and Conditions, who upon Motives of Profit and Reward, and who for the Gratifying of their Wrath and Hatred, and the compassing of their Revenge, will venture on the Perjuriously Depoling of Fictions and Lies, and that with such an Assurance, accompanied also many times with such a Consistency and Coherence in the things they Swear, that neither the most Circumspect, Discerning and upright Judges, can penetrate into the Treachery; nor the Accused, tho never so Innocent; can be cover'd from and Escape the Infamy, damage and Mischiefs, which these Miscreants have plotted and Conspired to bring upon them. So that the Righteous Administration of Justice in Communities and Kingdoms, without which Societies can not Subsist, nor the Reputations, Fortunes and Lives of Men, be so secure and safe, as they would in *Hobb's* State of Nature, depending so much, if not intirely, on the Authority and Testimony of Witnesses, we ought to have the Memories of those in Honourable Esteem, who have been both so Wise and so Charitable, as well as of that Integrity and Uprightness, as to give us Directions and Rules, whereby to Govern our Belief in reference to Informations and Deposities, tho Solemnly made and Sworn unto. And forasmuch as the only pretence left to our great *Metropolitan*, for palliating and excusing his Sentence against the Bishop of *St. David's*, from having been not only exorbitantly Severe, but also from being altogether Groundless, and consequently

Unrighteous and Unjust, is and must be singly Superstructed and Built upon the alone Faith and Credit of those whose Depositions were received in proof of the Articles, whereof the said *Bishop* was Accused ; I do therefore hope, that they who shall vouchsafe to peruse these Papers, will not think I have gone beyond, or departed from the Subject of them, in the bringing some of the *Witnesses* against the *Bishop* of *St. David's*, to the *Test* and *Ballance* of the foremention'd *Provisions*, *Characters* and *Maxims*.

And this I shall briefly apply my self unto, with all theregard and Tendernefs imaginable to the Fame of those, whom I shall beNecessitated to Name. And as for the avoding the making this Discourse too long, I shall at present mention only two *Witnesses* (together with the Promoter) and they *Ecclesiasticks* whose *Office* gives them a Right to a distinguishing fair and gentle Usage, I shall therefore not only Speak, with all the Lenity and Retentiveness I can, of their *Moral* Imperfections, Defects and Offences, by reason whereof they stand *Unqualified* for the having been accounted *Competent Witnesses* in the *Case* of the *Bishop* of *St. David's* ; but I shall likewise take special care of making such a *Separation* of the *Witnesses* from the *Function* ; and of so *Distinguishing* and *Alienating* the *Men* from the *Priests* ; that whatsoever ill *Representation* or *Character* do fall upon their *Persons*, yet the *Sacerdotal Office* shall be brought under no *Contempt* ; but the *Latter* shall still remain *Sacred* and *Honourable* ; while *They* who in the *Case* before us, thro having Acted *Unsuitably* thereunto, may come to be so *Disgracefully* thought of, as that their very *Oaths* should have rather been esteemed *Perjuries*, than have been held *Sufficient Motives* and *Legal Reasons*, for the Giving *Faith* unto, and the pronouncing *Sentence* upon their *Depositions*. And that the Design intimated in the *Preface*, of a Full and Voluminous *History* to be given and publih'd hereafter (when the *Sentence* Decree'd against the *Bishop* of *St. David's*, shall have not only past under the Review, and have receiv'd the Judgment of the *Court* of *Exchequer*, where it is now depending ; but shall have also come under the Cognizance and have obtain'd the Terminative and final Decision of that most Honourable *Judicature* where the *Dernier*, *Resort* in all Cases lies) of all the proceedings, even to the minutest Circumstances, against the said *Bishop*, may not in this particular which refereth to that *Character* of the *Witnesses*,
upon

upon which they should have been held unqualified for Depositing Legally; be render'd altogether needless; nor such an Ocean of matter Lanced into, as would necessarily Enlarge this Discourse beyond the Bulk, to which I am both obliged and resolved to Confine it; I shall therefore under the present *Head*, instead of bringing all the several and many Witnesses under that particular Scrutiny with respect to the Immoral Qualities, and Legal Offences, for which they were to have stood *Uncapacitated* for being *Believed*, and should have had their *Testimonies* Refused and Rejected; I shall I say restrain my self to an Inquisition after, and a compendious Reherfal, of what was either wanting in the Chiefest of and most esteemed among them, towards the rendering them Credible persons at any Tribunal; or what lays and renders them under the Accusation of being Guilty of those Crimes, for which they should have been accounted disabled from being Lawful and competent Witnesses.

And to begin with *Robert Lucy Esquire*, who in the whole *Process* against the *Bishop* of *St. David's* appear'd and Acted in the Quality and by the stile of *Promoter*, and whom the *Author* of the *Summary View*, (in order I suppose that the Articles which at the *Promotion*, and by the Malicious Instigation of the said *Lucy*, were Exhibited, and unto which the *Bishop* was called to Answer, might seem introduced with the greater Pomp and Solemnity) describes unto us both by the *Heraldry* of his *Descent* and *Birth*, as a *Son* of a *former Bishop* of that *Diocefs*; and by the *Paganry* and *Trappings* of being Dignified with the Office of *Register* of the said *Bishoprick*. But by neither of which in my Opinion, will any part of the *Process* stand the more recommended to the *Belief* of those who are impartial. In that his *Father* tho having Continued *Bishop* in that *See*, about the space of 18 Years, did not only suffer the *Collegiate Church* of *Breconock*, and the *Palace* of *Abegwilly* to fall into *Decay* and *Ruin*, but also Lived in a woful and Culpable *Omission* of many of the direct and important, as well Sacred as other Duties of his Office, thro' neglecting during all that time to Require and oblige the *Canons Residentiaries* of the *Cathedral Church* of *St. David's*, to keep and observe six *Months* *Yearly Residence* on their *Canonaries*, as by the *Statutes* of the said Church is *Provided* and *Ordained*, and more especially by his having wholly and altogether *Forborn* and forgotten the *Calling* any of those

those placed under his *Episcopal Care*, to a *Renewal* of their *Baptismal Covenant*, and consequently having never *Administered* the *Ordinance of Confirmation*. Which, (without the mentioning several other things in that *Bishops* Prelatical behaviour and conduct, that would be more detractive from the Good esteem which Humanity, as well as Christian Charity, do teach Posterity to preserve for those Deceased, that bore his Character) do so far at least Darken, if not Sully the Glory and Splendor of his Memory, that *Robert Lucy* upon the being Recorded for his *Son*, will not either have his Reputation in the Quality of *Promoter* in the *Process* against *Bishop Watson* thereby much Encreased; nor they who stand unpreposessed and indifferent *Umpiers* and *Arbiters* in reference to that Cause, be greatly tempted by that piece of *Blazonry*, to the giving the readier and more *Credit* to the *Articles*, which he Fram'd and gave in. And then as to his being by the *Author* of the *Summary View*, installed in the Office of *Promoter*, with the glittering *Tinsel* about him, and wearing that *Fiocco* of *Register* of the *Bishoprick* of *St. David's*, he will not even with that Ornamental Title, be reckon'd the more *Veracious* in what he hath *Articulated*; nor will any that are not previously Prejudic'd against the *Bishop*, believe him affected by those *Articles*, upon the motive of being Accus'd by one that lays claim to the Dignity of *Register*. And that because as his Title to that Post, is liable to very just exceptions, and the *Patent* by which he pretendeth to hold it, hath been Question'd by the *Bishop*; so it hath been in Proof, that in the Administration thereof, he hath demanded and exacted Arbitrary, excessive and Illegal *Fees*. Nor can it be reasonably thought, that he should have carried himself Innocently and Uprightly in the Execution of the place of *Register*, against whom there are so many well attested Informations, of his having during the being *Secretary* to his Father, Taken and Received *Bribes* of and from such, who were then Advanc'd to Spiritual Preferments, particularly of *Mr. Powel* of *Glasbury* the *Summ* of Twenty Pound, as also the like *Summ* of *Mr. Williams* of *Harmen*. Neither can there be any thing more Fully and Legally Proved, than that it was upon the Provocation, of the *Bishop's* having Question'd his *Patent* for Occupying the place of *Register*, and for the having not only Charg'd him with, and Threatned to proceed

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Jurisdictionally against him, for the Extortion of Exorbitant Fees, but for having in punishment thereof, *Suspended* his Deputy, that he the said *Robert Lucy* grew so Incensed and Enraged against the *Bishop*, as to become his most Malicious and Revengeful Enemy. And thereupon, in order to Escaping, what he knew himself Obnoxious to the having Inflicted upon him for his own Crimes, he fell upon Recriminating by Accusing his Diocesan. And this he was the more Encouraged unto, because of the Pique which he knew some of his Lordship's own Order had conceiv'd against him. So that he doubted not the diverting a Storm from himself, by raising a Tempest against the Bishop. Whereunto might be added, the Anger and Indignation, which he had entertain'd against the Bishop, upon his Lordship's Requiring the *Residentiary Canons* of the Cathedral Church of St. David's, whereof two are Brothers to Robert Lucy, to Reside Annually upon their Respective *Cannovries* the full time of Six Months, to which the Statutes of that Church do oblige them, and to the Performance whereof, they are bound by the Oaths they have Taken, for the Keeping and Observing of those Statutes. For the Bishop having found them to Live in an open and avowed Breach of their said Oaths, did thereupon in a Conscientious Discharge of the Duty of his Place, First Calmly and Temperately advise them to Residence, telling them that he would expect it from, and Exact it of them; and upon observing them to continue still in a neglect thereof, and consequently in a Scandalous and Criminal violation of their Oaths, he there upon at his Visitation, Anno 1688. Proceeded to the Suspending Mr. Thomas Owen and Mr. Thomas Stegnoe, and to the Admonishing of the Rest. Whereof I dare say, he is neither asham'd, nor doth in the least repent, on the Foot of any Moral delinquency therein, tho' he cannot avoid being sensible, that from thence arose that Malice of Lucy, and of the Cannons against him, which both gave Provocation to the Invention of all those Fabulous and Infamous Reports, by which he hath been defam'd, and Occasion'd the Conspiracy of these men, and of such others as they could Suborn, to Commence the Process, on which his Lordships Metropolitan, to the Amasement of all the Unbias'd part of mankind, hath ventur'd to Depose him from his Spiritual Office, his Dignity of Baron, and from all the Temporalities, to which he stood thereby Entitled and had a Legal Right. Nor are

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the things I have mention'd, the only matters that have been in proof against *Robert Lucy*, for the bringing a just *Suspicion* of *Forgery* and *Falschood* on whatsoever was *Articulated* at his *Promotion*, there having *Probation* against him been further Offer'd, that he hath stood publickly *Fam'd* for the having *Lived many Years in Adultery with another Man's Wife*. Which tho it may not be esteem'd inconsistent with his Title of *Esquire*, nor so Detractive from the Veracity of those that go under that Denomination, as to render either their Testimonies wholly Refusable, or altogether to Exclude them from the being admitted Prosecutors in Judicial Proceedings, Especially considering that a certain person, who sat lately in the Highest place of Judicature of the Kingdom, for the Administring. Justice and Equity to the Subjects, hath been and still is Reported Guilty of Adulterous, as well as of Common Uncleanesses: Yet it might very well have been Expected, that in a *Process* against a *Bishop*, and especially in an *Ecclesiastical Court*, and before One called a *Judge Spiritual*, it shou'd at least have had that Influence and Operation, as to have render'd both *Him* that claimed the being Vested with the Judicial Power, and *Those* Selected to be his *Assessors*, to have been very Tender and Circumspect, how they Decided and Decreed in a Cause, unto which a person Smutt'd and Branded with so horrid a Crime, had not only given the first Commencement, but had assumed the whole Conduct and Management of it. Yea there are such other Crimes in Proof against the said *Robert Lucy*, (and those attested by *Witnesses*, who would have been held unexceptionable in *Westminster Courts*) that have stood always accounted to impress and leave that disgraceful and Infamous Character on whomsoever they have been Fasten'd, that whatsoever by the means of those men hath been brought under juridical Cognizance, or whereunto they have been found to lend any Support, it hath Immediately stood Refused and Rejected, upon their appearing Concern'd and Interest'd in it. Now the Ignominious Crimes of this kind and *Tincture*, where-with *Lucy* hath been Charged, are, That he hath been Guilty of *Bribing* and *Suborning* several Persons in this Cause, to *Depose* and *Swear* whatsoever he thought fit to Suggest and Intimate to them; and that he hath *Threaten'd* to *Ruin* such as had the Integrity to Refuse to do it. As likewise his having himself not only both Actually *Receiv'd Money*, and had *Pro-*
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mises made *Him* of further future *Rewards*, for the undertaking the Province and Office of *Promoter* ; but that likewise diverse *Summs* have been *Demanded*, *Collected* and *Paid* unto *Him*, for the *Sustaining* and *Defraying* the *Expences* of the *Prosecution*. Whereby as whatsoever hath been done at *his Promotion*, either in the *Process*, or in the pretended *Judicial Sentence* against the *Bishop* of *St. David's*, upon any *Depositions* made by *Witnesses* of his *Procuring* and *Producing*, is thro interfering with the *Maxims*, and the being *Irreconcilable* to the *Rules*, which we laid down as *Universally* agreed upon, to be *Indispensably* Required, become *Obnoxious* to a very severe *Construction* and *Censure* ; so it is to be hop'd that few *Persons* will venture to *Justify* what the great *Metropolitan* hath done, after they have *Perused* this short *Detail* of the several *Infamous Crimes*, that have been in *Proof* against *Robert Lucy* the *Promoter* in the fore-mention'd *Cause*.

So that having with all the brevity, that the variety and Importance of the things, which I have Named, would admit, made an *Inquisition* into the *Character* of *Lucy* the *Promoter* ; I shall in the next place proceed to a detection of the *Immortal Qualities*, and of the blackning and *Infamous Crimes*, which have been in *Proof* against those, who were the chief and principal *Witnesses* produced for *Convicting* of the *Bishop* of *St. David's*. And upon the weighing of them in the *Scales*, Ordained and Adjusted by those, who have Written concerning *Judicial Proceedings*, and of what is to be Required in such, whose *Testimonies* are to be Receiv'd, and for and by reason of what *Deficiencies*, or of what *Faults* and *Enormities*, either in those who *Depose*, or in their *Depositions*, the *Oaths* they shall have Taken, shall be accounted no otherwise of, than as so many *Perjuries* ; and the *Informations*, they shall have given upon them, be held and esteem'd no better, than as meer *Slaunders* and *Forgeries* ; I say that upon the weighing of them in those *Scales*, I do not doubt, but that both *They*, and their *Depositions*, will not only appear to want of the *Purity* and *Weight*, Required to the rendering either of them *Passable* ; but that there will be found such a *Base* and *Corrupt Alloy* in each, as should have hindred their *Currency* and *Receivableness* at any *Impartial Bar*. And the *First* of those, whose *Character* I shall look into and *Examine*, shall be *Edward Meyrick*, in that he hath not only been brought to *Swear* in *Proof* of all the pre-

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tended *Offences and Crimes*, whereof the *Bishop* was *Accused*; but in that he stands Introduced and Adorned, by the *Writer* of the *Summary View*, with the *Stile* and *Title* of being *Treasurer* of the *Church* of *St. David's*. And tho' I will neither question, nor detract from the *Dignity*, to which, by *Virtue* of that *Appellation*, he may lay claim; yet I think it no wise either *Just*, or *Reasonable*, that his *Depositions* should have been the more *Implicitly Believed*, because of his having been *Advanced* unto, and of his standing *Possess* of the foremention'd *Office*. Seeing I do find in a very *Unquestionable* and *Authentic* *Record*, that a certain *Person* call'd *Judas Iscariot*, who by *carrying the Bag*, was in the *Post* and *Quality* of *Treasurer* in the *Family* and *Church*, over which our *Lord Jesus Christ*, *Personally* and *immediately* *Presided* and *Govern'd*; and that yet, notwithstanding of the said *Character*, he not only *Betray'd* his *Lord* and *Master*, but had become *Disposed*, and was hurried to the doing it, by the *inordinate* *Love* of *Money*, which he had *Contracted*, and was grown *habituated* in, thro' the being in that *Place* and *Employment*. And it ought to have *Raised* and *Established* a strong *Suspicion*, that whatever *Meyrick* took upon him to *Depose* in the *Process* against the *Bishop* of *St. David's*, was only *Calumniously* and *Falsly* *Invented*, in order to the *Revenging* himself upon his *Diocesan*, for the having *Admonished* him to the *Residence*, which the *Statutes* of the *Realm*, as well as the *Canons* of the *Church* of *England*, do *Require* and *Oblige* unto. For tho' he hath stood possess'd within the *Bishoprick* of *St. David's* of the *Rectory* of *Penbair*, and of the *Vicarage* of *Langivoid*, and of the *Precentorship* of *Christ's-College* in *Brecknock*, as well as of the *Treasurership* that we have just now mention'd; yet he hath not only *Shamefully* and *Scandalously* *Omitted* the *Residing* upon any of them, but hath chosen to *Live* at *Carmarthen* for several *Years*, without *Visiting* his *Cures*, unless upon motives of *Interest*, more than of *Duty*. It being enough for one of his *Ecclesiastical* and *Political* *Latitude*, to *Reap* the *Profits* and *Emoluments*, to which the *Law* of the *Land* gives him a *Right*, upon his having the *Titles* of *Rector*, *Vicr*, *Precentor*, and *Treasurer*, without the being any ways *Conscienciously* careful to perform what is *Incumbent* upon him by the *Obligations* of his *Sacerdotal* *Office*. And as by these *Neglects* he hath shewed himself a *Priest* on whom the *Commands* and *Injunctions* of

our Lord Jesus Christ, have very little Influence and Power, and whose Word and Oath should therefore be had in small Esteem; so the continuuing in the foresaid *Omissions*, after his having been *Admonished to Residence* by his *Diocesan*, hath rendred him *Guilty* of the *Breach* of his *Oath* of *Canonical Obedience*, as well as of his *Oath* of *Residence*; and should have consequently made his *Swearing* of no significancy or weight, in any *Judicial Court* whatsoever. Especially it should have caused the great *Metropolitan*, and those who were *Affessors* unto him in the *Process* against the *Bishop* of *St. David's*, to have *Refused* and *Rejected* all the *Informations*, (even had the things informed of, been in themselves true) that were brought before them upon his *Testimony*. But possibly there are some people, who thro' being *Conscious*, how that anttecedently to the *Superceding* and *Abrogating* of certain *Oaths* by any new *Laws*, they themselves had lived and *Acted*, not only in neglect of those *Duties*, to the performance whereof they had solemnly *Swore*; but had been openly and avowedly *Guilty* of the *Perpetration* of things, at least *Constructively* *Repugnant* to the *Obligation* of those then unabolished and undischarged *Oaths*; may have thereupon preserved a favourable opinion of *Meyricks* *Reputation* and *Credibility*, notwithstanding of the *Accusation* that was brought in *Proof* against him, of his having lived in the *Breach* of his *Oaths* of *Canonical Obedience* and of *Residence*. Whereas as I think there should a mighty difference be put, at least in point of *Infamy*, between the *Breach* of the *Oaths* (which I have barely intimated, and that with all the *Modesty* and *Reservedness* imaginable,) and the *Violation* of those, whereof *Meyrick* hath been no less *Scandalously*, than *Criminally* *Guilty*. For tho in order to the preparing Men for the being qualified to be forgiven and accepted of God, it may be needful to invite and call such to *Repentance*, who are thought to have taken *His name in Vain*, who will not hold them *Guiltness* that do it; yet neither *Divine*, nor *Humane* *Laws* do exact of us, that we should account of them as persons become too *Infamous* to be *Believed* at *Juridical Tribunals*. In that there may have been such *Provisions* made in the *Fundamental Rules* of *Agreement*, upon which *Communities* came to be *Established*, as in the *Opinions* of some (especially when under the power of *Angry* *Resentments* for supposed *Illegal Wrongs* and *In-*

juries done unto them) may serve in certain particular Cases, to give a Dispensation to those who are Ruled, from the Duties that would be otherwise Incumbent upon them to such as are their Rulers. And tho' in the Claming of this Absolution from the Offices of Fealty and Loyalty, which the Laws seem to require of them, they should be known to have grossely Mistook and Erred, thro' suffering their Lusts and Passions to impose on their Understandings, and Debauch their Consciences; yet it wou'd be of too fatal Consequence both to Civil Constitutions, and to the Administration of Justice in Nations and Kingdoms, to have all such brought under that degree of Infamy, as to be held Sequestred and disabled from being Legal and Competent Witnesses. So that as I do not by the forgoing Observation, intend in the least to detract from the *Veracity* of his Grace the *Arch-Bishop* of *Canterbury*, in what he shall either Affirm, or Deny, whether in Common Conversation, or on his Judicial Seat; so I am far from designing to fasten an Universal Imputation of *Injustice* upon his Judicial Acts; but the whole that the foremention'd Reflection is Calculated for, is only to intimate, that it is not impossible for persons of Integrity and Uprightness who under the Influence of Principles, and in order to Ends, which Honest Men may have imbib'd, and think they do not amiss in pursuing have Lapsed into Failures, to be therupon carried to Judge too favourably of gross and flagrant Crimes, meerly because of their having some remote and faint Alliances, with the Trespasses, which themselves had fallen into. Even tho' thereby no Excuses or Palliations are at hand for extenuating the Guilt of the latter; whereas there may be false Colours in View, which may in some measure cover the Criminalness of the former. But if what I have already said, be not sufficient to Blast the Reputation and Credibility of *Meyrick*, for the being accounted a good and Legal *Witness* in the Case of the *Bishop* of *St. David's*; I have that further to offer and represent concerning him, which according to all the Provisions and Rules Established in *Civil* and *Municipal* Laws, in reference to Persons bearing that Character, must render him too *Infamous* to be Believed in any thing he says or Swears at any Tribunal whatsoever. And that is, its having been tender'd in *Proof* against Him, that in an *Answer* upon a *Judicial Oath* to a *Bill Exhibited* in the *Court of Exchequer* against him

Anno 1695,

Anno 1695, he did then and there Fore swear himself before Sir John Joh. F. Powel, who was at that time one of the Barons of the said Court. Of which Perjury of Meyrick's, tho' the full History must be Adjourned, untill all the Proceedings against the Bishop of St. David's, shall come to be Impartially and Voluminously Communicated to the World; yet a short View of it may be needful to be here given and related. Namely, That Meyrick, as he was Treasurer of the Cathedral Church of St. David's, having the Care and Charge of Repairing the said Church, devolved upon him, He did Covenant and Agree with John Lewis, David Morgan, and Edward Morgan, of the County of Carmarthen, Carpenters, in a certain Summ of Money to be Punctually and Faithfully Paid unto Them, for and by reason of Materials and Workmanship; but that instead of Paying them, answerably and according to the Tenor of the Bargain, which He and They had Agreed upon, Contracted, and Made, or of His fulfilling the Promises, which he had several times given them for the Performance thereof, which had occasion'd their often going to divers places, in hopes upon the Faith of a Clergy-Man, to have Receiv'd their Money, he forc'd them at last to Prefer a Bill in the Exchequer for the Recovery of it. And to menace, as well as to discourage them, from venturing upon that method, which his Fraudulency and Injustice had necessitated them unto, he had the Impudence to tell them, as the Complainants expressed it in their Bill, that he would keep them from Obtaining what upon Contract they Demanded, while he was worth a Groat, or as himself phraseth it in his Answer to the Bill, that the Chapter had as much Money to Spend in Defence of the Suit, as They had to Lay out, and Disburs in the Prosecution of it. And as I desire the Reader to believe, that in the Reporting of this, I intend no Reflection on Priesthood, but meerly on him call'd the Priest, who upon his being Guilty of such a Crime, is so far from standing unnoxious to the severest Censure, that upon the having behav'd himself thus unsuitably to the Character he Assumeth, he is become exposed to more Ignominy, and deserves to have a greater Punishment Inflicted upon him, that if he were a Layman, or the meanest Mechanick; so I cannot avoid saying, that it must needs beget very odd and unreputable Sentiments of the Sentence against the Bishop of St. David's, that it was Decreed and Pronounced upon the Testimony chiefly of this Meyrick, who

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who *Perjur'd* himself so openly in a *Judicial Court*. Nor can it be so much as imagin'd by any, who have not weak Heads, and worse Hearts, than *Three poor Welch Carpenters*, would upon a *False Forged Allegation*, have dared to *Embarque* in a *Process* against one of *Meyrick's Bulk, Opulency, Interest and Cunning*, especially in a *Court* so far distant from their Homes and Employments, where the very Attendance, abstracting from the Expence, must have possess'd them with apprehensions of being *Ruin'd*. For tho' meanness accompanied with Poverty, may lay Men Obnoxious to be suborn'd to be False Witnesses, in Suits and Actions Commenc'd by such, who being Powerful and Wealthy, do promise both to bear them out, and to reward them; yet none in that condition and under those Circumstances, will be so Sottish and Void of Sense, as upon invented and merely Feign'd Demands and Claims, to engage in Law Suits against those that are no less Superior unto them in Riches, than in Secular Stations; because as they must foresee, that upon their coming to be overthrown and Cast, and especially if they be withall convicted *Guilty of Forgery*, and *Perjury*, they will have *Corporal* as well as *Pecuniary* punishments inflicted upon them, and be reduced to the Exchanging their Habitations for Prisons; and to the making Goals their Refuge. And to what hath been already advanced for rendering *Meyrick* too Infamous, as well as Unreputable to have had Credit given unto his Testimony, there is yet yet one thing more I have to subjoyn, towards the bringing his Word and Oath into farther disesteem and contempt, with all such who pretend to Sense or Honesty. Namely, that whereas among many other things, to which he assum'd the Confidence of being a *Witness* against the *Bishop of St. David's* he took upon him to Swear, that the said *Bishop* had *Simoniacally* preferred his Nephew Mr. *John Medley* to diverse *Ecclesiastical Dignities* and particularly to the *Arch-Deaconry* of *St. David's*, yet that he the said *Meyrick*, hath in a Letter or Paper, which he deliever'd to the *Bishop* Written with his own Hand, plainly Contradicted and renounc'd whatsoever he hath *Deposed* upon Oath in that matter. The *Memoire* whereof in brief is this, that *Meyrick* had not only Suggested to one *John Cutlyn*, who was then *Chaplain* to the *Bishop* that his Lordship was a *Simonist*, and had *Simoniacally* preferred *Medley*, hoping thereby to have begotten in *Cutlyn* an unworthy

Opin-

Opinion of his Master, and thereupon to have drawn him to unite and Co-operate in the Conspiracy, that had been revengfully contrived, and was maliciously Carrying on against the Bishop of St. David's) but that he the said Meyrick hath also Judicially Deposed upon Oath, that he Believes it to be True, that the Bishop did Collate Mr. Medley to the Arch-Deaconry of St. David's, for his the said Bishop's own advantage, in that and Bishop, his Agents, or Collectors, did for some considerable time, both Receive the yearly Rents of the Corps of the said Arch-Deaconry, and also the Induction Fees, and the Procurations due from the Clergy thereof: and that he also Believes it to be True that the Bishop took a Bond of 200 l. from John Medley at the time of his Collation to the said Arch-Deaconry; and that he likewise further Believes, if Mr. Medley had received the profits of the Arch-Deaconry, he would have been in a better Condition, than ever he appeared unto him to be: I say that notwithstanding of all here recited, which Meyrick hath Deposed upon Oath, yet he hath in a Paper Written with his own hand, Dated May 21, 1691 and deliver'd by himself unto the Bishop positively Declared as in the presence of God, that he knew of no Bonds given by Mr. Medley unto his Lordship, either by reason of that Preserment or upon any other account whatsoever; but that as he had Recommended Mr. Medley, to his Lordships favour for the Arch-Deaconry of St. David's, believing him to be capable of the said Dignity; so his respects to Mr. Medley, were ever sutable to that opinion of him; and that he hop'd no honest-man or Christian would believe him Guilty of such base Scandals and Slanders upon, and against his Lordship. Which tho the great Metropolitan, as well as some who were Assessors unto him in the Proceedings against the Bishop of St. David's have plainly and undeniably done; yet I will no ways by reason thereof, venture to fasten the Imputation upon them, of being neither Honest nor Christians, tho Meyrick doth what lyes in him, for exposing them to that reproach. However I cannot upon this occasion forbear saying, that I am the less surprized, that One of those Right Reverend Assessors, should preserve an Opinion of the Credibility of a Witness, tho' apparently Guilty of Swearing, as well as of Declaring Contradictions, in that He himself (without Prejudice as he hopes to his Veracity) hath taken the liberty both of Speaking and of Acting Contradictorally in a matter and Case of a very great Impor-

tance, and in which plainness and Integrity ought to have been used, and were accordingly Expected. That which I am about to say is, that whereas Dr. Burnet (who is now Bishop of Sarum) in a Letter from the Hague, bearing date June 20. 1687 to my Lord Middleton, did as a Priest, and by construction in *verbo Sacerdotis*, solemnly promise and Declare, That he would to the last moment of his Life, pay all Duty and Fidelity to his Majesty King James 2d. Yet that he hath since the Revolution, not only avowed, but gloried in it, that he was both at the time of the date of the said Letter, and had for a considerable season antecedently thereunto, been Employ'd in Perswading the then Princess of Orange to Consent to the Invasion of the King her Father's Dominions, and to the Deposing him from his Royal Dignity and Throne. However notwithstanding either the Honourableness of that Precedent, or Meyrick's having had his Testimony Receiv'd and Allow'd, after that the foremention'd Contradictions, had been Offer'd in Proof against him ; yet I will take the boldness to say, that upon his liableness to that Exception, his Deposition both should, and would have been Refused, in any Impartial Court whatsoever. Seeing that as it is altogether impossible, that Both Parts of a Contradiction should be True ; so it hath been always agreed upon, and common Sense Teacheth it, that he who in a matter of Fact doth equally both Affirm and Deny, is to be Believ'd in reference to neither, but as I said before in the words of Cicero, is to be held *Pro Testimonio esse Mentitum*.

So that having Represented Meyrick as well as his Qualities and Practices, for adapting him to be a Legal Witness, would give me leave, and having left him with a Tekel upon him, and shew'd him to be altogether Incompetent for the having Faith given unto his Depositions ; I am in the next place to proceed to the bringing one more of that Scandalous, as well as numerous Herd and Gang, to the Scale in which I have Weighed the Former, and if I do not greatly mistake, he will be found to want not only Grains but Ounces, to the rendring his Testimony Current and Receivable at any Judicial Tribunal. And the Person whose Character I am to give, for Disabling him from Deposing in any Cause whatsoever, and for making him appear Unqualified in Law for the being Believed either upon his Word or Oath, is One Jeremiah Griffin an Ecclesiastick ; who stands Cloathed with many Spiritual Titles, arising unto him from

from his great variety of *Church Preferments*. For besides his Diminutive Appellation of being *Master* of the *Free-School* of *Brecknock*, by vertue whereof, he not only Enjoy'th a considerable *Established Salary*; together with the use and Benefit of a convenient House to Dwell in; and is also a plentiful Gainer by the *Pensions* and *Gifts*, which *Liberal* and *Generous Gentlemen*, who are *Parents* or *Guardians*, to the *Youth* placed under his *Care* and *Education*, do bestow upon him; (and whose *Children*, or *pupills*, I hope he doth better *Instruct* in the *Accidence* and *Syntax*, than he proveth *Exemplary* unto them in *Morals*) he is likewise both *Rector* of *Differth*, and *Vicar* and *Prebend* of *Lansanfraid*, in the *County* of *Rednock*. So that the first thing I have to alledge, for incapacitating this *Griffith*, from the being qualified to have been admitted for a good and Relevant *Witness* against the *Bishop* of *St. David's*, is his having been under the *Monition* of the said *Bishop* for *Non-Residency* upon any of his *Cures*. It being under *Proof* against him, that notwithstanding his Holding the two foremention'd *Living*s in the *County* aforesaid; yet that nevertheless, both contrary to the *Statutes* and *Cannons* of this *Realm*, and to his *Oath*, he had for several years *Lived* at *Brecknock*, (which is at least 10 or 12, Miles distant from them) without giving *Attendance*, or *discharging* the *Duties* of his *Function*, at either of the said *Cures*. And that having for this *Scandalous Neglect* of his *Office*, and the *Criminal Breach* of his *Oath*, had several *Monitions* Given him by his *Diocesan* to oblige him to *Residence*, during the full time appointed by our *Laws* and *Ecclesiastical Constitutions*, he the said *Griffith* had thereupon in *Conjunction* with *Meyrick*, and some *Others*, who were under *Monitions* upon the same account, *Conspired* against the *Bishop* and enter'd into a *Plot* and *Combination* to *Asperse* and *Defame* Him. And that all the *Accusations* whereof he hath either been the *Author*, or wherein he hath *United* and *Concurred* with others upon their *Inventing* them, are altogether *Groundless* and *False*, and meerly *Contrived*, spread, and brought into *Process*, upon motives of *hatred* and *Revenge*; we do need no other *Evidence* thereof, than that it hath been in *proof*, how that the said *Griffith* after his having both declared open and avow'd enmity against his *Diocesan*, and the having industriously endeavour'd to scandalize, calumniate and vilify him to several persons and in diverse companies; did nevertheless not only give out and profess to many

so as it administred occasion for its coming to be publicly Reported, that he would go to London and be *Reconcil'd unto the Bishop*; but that also for the obtaining of pardon from, and peace with his *Lordship* the more easily, he had begg'd of several of his neighbouring *Clergy*, that they would put their hands to a *Recommendatory Certificate and Testimonial in his Behalf and Favour*. Whereunto may be added, towards the further overthrowing, as well as the Blackning of *Griffith's Reputation and Credit*, so as that he neither might, nor should have been admitted for a *Witness* in any *Cause whatsoever*, and much less in a *Case against his Diocesan*, is, that tho he be a *Bishop's Priest of the Church of England*, and a *Minister of the Gospel of the Holy and Blessed Jesus*, he is nevertheless of a most notorious *evil Life*, and of a *grossy scandalous and Infamous Conversation*. Forasmuch as it hath been offer'd in proof against him, that he hath not only and that of late years, been often seen *shamefully Drunk*, to the great reproach and disgrace of his *Character*, as well as of his *Person*, among Country people who are not so good *Logicians* as to *distinguish* between the *Priest* and the *Man*, but that he hath also been, and still is, generally *Suspected*, and publicly *Fam'd* to be *guilty* of the horrid and abominable *Crime of Adultery*; which is both such a heynous enormity in it self, and of that mischievous consequence to Families and Inheritances, that upon such mens being guilty of it as have ministred at the *Altar*, the inferiour and unthinking multitude of all Religions, have been tempted to thing the worse of the very worship and ordinances of God. Nor is it unworthy of remark, that as the only persons made obnoxious to death, by the *Divine Laws* given to the *Jewish Republick*, as well as *Church*, for single *Fornication*, were they who were the *Daughters of Priests*; so the only Reason assigned for the Subjecting of them, in contradistinction from others, to so severe a punishment as not meerly to be *Executed*, but to be *Burnt with Fire*, is because that thro *profaning themselves*, in playing the *Harlots*, they had thereby likewise *profan'd their Fathers*, whereof the natural Interpretation and paraphrase is, that they had in so doing exposed the Persons and Office of their Fathers to contempt. Nor may it be amiss, upon this occasion to say, that as the *Law* given immediately by God to the *Jews*, whose Government was a direct *Theocracy*, made all persons convicted of *Adultery*, subject to death; so both the

Civil

Bishop's
Ecept. Jan.
19. 1697.

Levit.
29. 9.

Civil Law, and the established *Custom among Barbarous Nations* Lib. 39.
 which was equivalent to Law (as particularly among the *Quamvis*
Vandals) made those who were proved Guilty of that Crime, §. I. C.
 liable to the same penalty. And that it is not so by the *ad L. Jul.*
Municipal Laws of Nations professing Christianity, made *Julius*
Clarus say, that *est unus ex abusibus, in quibus Christiana Resp.* Lib. 5.
indiget Reformatione, It is one of those evil Omissions and neglects, Sentent.
which Christian Kingdoms and States ought to Rectify and Redress. Adulter.
 But tho at present, *Adultery* by our *Laws* be neither punishable
 with *Death*, nor *Lay Persons* who are notoriously known to be
 Guilty of it, accounted to become thereupon *Infamous*; yet
 one of those who were *Assessors* to the *Metropolitan* in the
 proceedings against the *Bishop* of *St. David's* might have not
 only known, that as by the *Laws* of his own *Country*, namely
 of *Scotland*, no *Infamous* persons are admitted to be either
Accusers or *Witnesses*; but have been likewise Inform'd that
Adulterers are both reckon'd among those whom their *Laws*,
 account *Infamous*, and who are also expressly disabled from being
 received as *Legal Witnesses*. And moreover tho' it be otherwise
 among us, and that *Lay* persons notwithstanding their being
 Charged with Crimes of that kind, are nevertheless allowed
 to maintain their wonted and respective *Figures* in the World,
 and to preserve that *Reputation* among men, as to have Faith
 given unto their Testimonies, yet it might very well be ex-
 pected, that if one who is a *Priest* and Called to *Ministry* a-
 bout *holy Things*, shall not only be publicly *Fam'd*, but have
 it Offer'd in proof against him, that he liveth under the imputa-
 tion and Scandal of such a *Crime*, he shou'd immediately, especi-
 ally in an *Ecclesiastical Court*, and before a *Judge Spiritual*, be
 held and accounted too *Infamous* to be Believed in any thing
 he says or Swears. Nor would it in this Case have been un-
 worthy of their Remembrance, that even *Pope Sixtus Quintus*
 For preserving the honour of the City of *Rome*, did *Anno*
 1586 publish an Ordinance or Bull by which *Adulteries* commit-
 ted in that City, were Punished even with *Death*. For as *Acti-*
ons Morally Evil, receive their *Aggravation* from the *Objects*,
 and the *Relation* that *Offenders* stand in towards *Them*; so that
 what is but *Assault* and *Battery* upon an Ordinary Person, is
Treason on the Prince; and that from thence ariseth the In-
 finity of the Guilt of Sin, and the Demerits of *Eternal* punish-
 ment, because of its being committed against One of infinite

Statut.
Willielm.
 1. Cap.
 11. and
Stat. Roy.
 1. Cap. 34.

Being and Perfections, and who is withall our Creator, Owner, Benefactor, Father, Lord and King, whereby it acquireth a *Moral* Infinity, tho' it do still remain Entitatively and *Physically* Finite; so the nearer that any do stand unto God by reason of their *Functions*, the more *Infamous*, as well as Criminal do they become, by the having it tendered in proof against them, that they Live in Grofs and Scandalous Offences. And tho' their Crimes do no ways detract from the Dignity and Honourableness of their Sacred Office, yet they themselves, are rendered more obnoxious to just contempt and Infamy, than others accusable of the same Crimes would be. And that the Quality of persons by reason of their *Functions*, doth not only always give an Aggravation unto Crimes, but is often allowed, to Change (as it were) the very nature of them, so as to make that for example a *Capital* offence in *One*; which is only punishable with *Fine* and *Imprisonment* in an *other*; is received and established every where for such an universal Measure of Justice, that what by our Laws is called only a *Misdemeanour* in private Persons, is in diverse Instances made *Treason* in such as are Vested with Judicial Authority, or who are Entrusted (as we commonly stile it) with the keeping of the Conscience of their Sovereign. Upon which we do not only frequently meet with it in the best *Authors*, but in the very *Imperial Laws*, that what is meerly *Furtum in aliis*, *Bare Theft* in others, is *Latrocinium in Judicibus*, *Buglary* and the worst of *Robberies*, in those who are Judges. But if all hitherto mention'd, be not more than enough for rendering this *Griffith* unworthy the having been admitted for a Creditable and Legal *Witness*, I have that further to add for Blasting his *Reputation*, as an *Evidence*, that even the *Author* of the *Summary View*, will hardly assume the confidence to vindicate him, and to affirm him qualified to *Depose* in a *Juridical Court*. Tho' I perceive that *Writer*, to be a person of more than ordinary impudence, as well as of *Chicanery*, being in all likelihood one of them, (which I do not intend as any Reflection on the many Learned and Virtuous men of that noble Science and profession) of whom *Tacitus* says, *nec quidquam publicæ mercis tam venale quam Advocatorum perfidia*; that there is nothing which comes to a publick Market, so Saleable, as an *Advocate* is, if he can but meet with a *Purchaser*, who is inclinable and in a Condition to Buy him. For what I am now further to Relate of *Griffith*, and that

Ann. Lib. on)

II.

that not upon bear vulgar Report, but one Testimonies given upon Oaths, must unavoidably fasten and Leave such a Character of Falsehood, Deceit, and Treachery upon him, that none who would not Sacrifice their own Reputation, will venture either to vindicate, or to justify his. And that the many Detestable *Lies*, and abominable *Frauds*, whereof he stands accused in relation to one Single Case, may come before the Reader under the fuller and brighter Light, I shall first give a brief *Detaile* of the *Case* it self; and make those Reflections upon it, which may serve to represent *Griffith* in his true Colours. The *Case* is this, that one *Evan Jones* Rector of *Leterston Court*, in *Pembrockshire* being possessed both of a Considerable *Estate* and of a very good *Library of Books*, and to whom this *Jermiah Griffith* was likewise *Indebted* in the Sum of 100 *l.* or thereabout, did in the year 1670 *Die Intestate*, leaving behind him two *Sisters* viz. *Elianor Davis*, and *Mary Jones*, and also two *Nephews* to wit *John Price* and *James Price*, Sons of one *Ann Price* Deceased, who had been *Sister* to the foremention'd *Evan Jones*; and that thereupon the *Estate* of the said *Evan Jones*, was by and according to *Law* and *Custom* to Descend in such respective parts, portions, and shares to the forenamed *Sisters* and *Nephews*. But that *Griffith* did invent and publish several *Stories* and *Falsehoods*, in order thereby not only to beget and Raise *Division* and *Strife* between the *Sisters* and *Nephews*, but upon design both of *Cheating* and *Defrauding* them of the 100 *l.* which he was owing to *Evan Jones* at his death, and also of *wresting* unjustly and *Treacherously* from them the *Library of Books*, that had been the *Deceas'd's*, and to which *Griffith* had no *Right*, *Title*, or *Claim*, save what he endeavour'd to found in *Fictions* and *Lies*. And for the better compassing and effecting of these his Villanous projections, he in the first place endeavour'd to Set up a pretended *Will* of the person Deceased, by which as he gave out and alledged, that the foremention'd *Library of Books* stood granted and Bequeathed to him as a *Legacy*. And having Insinuated and Signified this to the fore-said *Elianor Davies* and *Mary Jones* he thereby wheedled and drew them into a *Conspiracy* and *Combination*, that in Case they would consent and agree to his having the *Study of Books* Given and Deliver'd unto him, He would Procure the *Administration of the Deceas'd's Estate*, to be granted unto them, and that in the virtue thereof, they should (the *Library* being excepted)

See the
Bishop's
Exceptions
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March 8.
1697.
And Jam.
Price's
Deposit.
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ted) *Get in the Possession and Enjoyment of it; Exclusive of the two Nephews, to whom a full Third Part did Legally belong, thro' their being the Sons of Ann Price a Sister of the Defuncts. And that accordingly in the pursuance and for the Compassing of his own Mercenary and Base ends, he not only Procur'd the Administration of the foresaid Deceas'd's Estate to be Granted to the forenam'd Elianor Davies and Mary Jones; but upon his meeting with James Price Senior, Father of the Two Nephews to the Defunct by his Sister, he was so Impudent, as Falsly and Treacherously to Tell and Assure him, that his Brother in Law Evan Jones, had antecedently to his Death, made a Will, and therein and by, had Given unto him his Study of Books, and had Left the Rest of his Estate, as well Real as Personal, to Thomas Davies, Husband of Elianor and to Mary Jones, Exclusive of his Nephews, John and James Price, to whom he had Granted and Bequeathed nothing. Whereas the said James Price Senior having thereupon applyed himself to the Registry of the Court at Carmarthen, for the Obtaining a Sight and Copy of the pretended foremention'd Will, he was there Informed and made acquainted, that his Brother in Law Evan Jones, had Died Intestate, and that Jeremiah Griffith had Procured the Administration to be Granted to Those already named. So that the said James Price coming thereby to understand, that a Third Part of the Deceas'd's Estate, did of Right Fall and Belong unto John and James Price his Sons, he thereupon went to the Administratrixes and Demanded it, which they readily Complied to the payment of. And further, whereas the said James Price Senior came also to understand, that Jeremiah Griffith stood Indebted and was Owing the Sum of 100 l. to Evan Jones at the time of his Death, He did thereupon go and apply to the said Griffith, to know whether he had paid it, and to whom. And that Griffith was so wicked and Treacherous, as solemnly and in verbo Sacerdotis to tell and assure him, that he neither did nor had ever owed unto Evan Jones so much as one Farthing. But that nevertheless upon the arising of a Difference afterwards between Jeremiah Griffith and the two Sisters, who were the Administratrixes to the Estate of Evan Jones, he the said Griffith did of his own Accord Discover and Confess to the foremention'd James Price Sen. That he had been Indebted in the Sum of 100 l. to Evan Jones at his death, and that he had paid the Money to the Administratrixes of the Deceased's Estate. Whereof*

James

James Price Sons stood excluded from all benefit and advantage, by reason of their *Father's* having upon *Griffith's Denial* before, that ever he was *Indebted to Evan Jones*, Come to an *Agreement* with the *Administratrixes* for the *Third part of the Deceased's Estate*, *Exclusive of the 100 l.* which had been *Owing by Griffith*, and had upon that *Agreement Executed a Discharge Freeing and Securing them* against all further *Demands*. Moreover, that by the *Agreement*, touching the *Disiribution of the Deceas'd's Estate*, the fore said *James Price Senior*, being in the *Right*, and for the use of his *Sons*, to have *50 l.* in *Money for their Share of the Deceas'd's moveable Goods, &c.* to and for the *Payment* whereof unto *John and James Price his Sons*, *Jeremiah Griffith* did become *Bound in two Bonds of 20 l.* each *Principal Money*, the one being made to *John*, and the other to *James*; and whereas *James Price Senior*, being some time thereafter in want of *Money*, it became, and was thereupon *Agreed between John and James Price his Sons*, that he their *Father* should receive the *Money* that was *Due from and by Jeremiah Griffith* on the *Bond* made to *James Price Junior*; and that upon this, the *Father James Price Senior*, having taken and carryed both the foremention'd *Bonds* with him to *Jeremiah Griffith*, desiring of him that he would let him have the *Money* due on the *Bond* made to *James Price Junior*, and that having *Deliver'd the two Bonds* into *Griffith's* hand, to the end, that the *Bond* due to *James* being *Paid*, it might thereupon be immediately *Cancel'd and Destroy'd*; and that the other, wherein *Jeremiah Griffith* stood *Bound to John*, might be *Deliver'd back* to him *James Price Senior*; But that *Griffith* taking thereupon the advantage of *James Price Senior's* being *Illiterate*, did *Cancel the Bond* wherein he stood *Bound unto John*, and that also previously to the *Redelivery* of the *Bond* made to *James*, he did treacherously *Blot out the Name of the said James*, and in the room thereof, *Interlin'd the Name of John*, on design, and with an *Intention of Cheating and Defrauding John* of the *20 l.* that was due unto him. So that having related the *Case*, as compendiously as it would bear; the *Reflections* which I shall make upon it, shall be very few. For as there is no room left for the exercise either of *Wit or Anger*, upon one, that could be *Guilty of so many Præmeditated and Complicated Villanies*, as the foregoing *Story* fully and plainly sheweth, this *Jeremi-*
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ab Griffith to have been ; so to draw those inferences from it, which may serve to Blacken him any farther than to bearly shew that he is too Infamous, to have had his Testimony received and relied upon, in any Cause, or before any Judicial Court whatsoever, would be to render him such a Publick *Jest*, and to furnish our Comical Poets, who write for the Play-House, with a Subject for more Lampoon and Drollery, than they have hitherto lit upon, neither of which, will the respect that I Preserve for the Habit, which he is still permitted to wear, allow me to do. For he appears, not only Guilty of the greatest *Falsehood* Imaginable, in pretending and affirming there was a *Will*, when he previously and most assuredly knew there was none ; but he is plainly accusable of Pillage and Robbery, as well as of Fraud and Treachery, in the endeavouring to deprive two *Nephews* of what was Legally to Accrue unto them from their *Uncles Estate*. And as the Capitulating and Covenanting to save some of the Heirs at Law, to the Cheating and Defrauding of others was fitter for a little Mercenary Sharking *Attorney*, yea, for a very *Knight of the Post*, to have been concerned and Embarqu'd in, than for a *Minister of the Gospel* ; so the serving the *Former*, and the Disserving the *Latter*, in order to *his his own Preying upon both*, is a piece of Villany ; For which as I hardly know an unanswerable Name of reproach and Ignominy ; so I may be bold to say none could be guilty of it, save one at Enmity with Truth, Righteousness, and Honesty. What learned use he is Capable of making of *Books*, I am neither so well acquainted with him as to his Intellectuals, or his Application and Sedulity, as to be able to tell, but he must needs put an extraordinary value upon them, who can not only Sacrifice his Reputation, but Pawn his Soul for the purchasing of them. Nor dare I venture on the making all the other natural and obvious Reflections, which I safely might, upon the more Criminal parts of his behaviour in the Case that hath been newly Reported ; least just indignation against these Offences should provoke me to be no less severe and Satyrical in *Prose* than a *Poet* acknowledgeth his having been instigated to use in *Verse*, thro' the having his Fancy heated by that Passion. For as to Deny especially upon the Credit and Word of a *Priest*, that he had ever been *Indebted to Evan Jones*, when a *Bond* Signed and Sealed by himself, and Attested by Legal Witnesses, had been once in the possession of

Honest

Honest people, whereby to Convict him of Falsehood, doth sufficiently declare him to be one that hath no regard, whether what he most Solemnly saith, be a Truth, or a Lie; so his confessing afterwards that he had been Owing 100*l.* to the said Jones at the time of his Death, does proclaim him to be a person both of more Impudence and Knavery than I am willing to be prodigal of Language in Representing him. And then as to taking the advantage of the *Illiterateness* and Ignorance of, and his Abusing the Trust and Confidence reposed in him by James Price Sen. In delivering the two Foremention'd Bonds into his hands; as thereupon Fraudulously to Cancel the Bond that was to be Return'd, in the stead of that which was given him up to be Destroy'd; so his Blotting out the Name of the Person to whom the preserved Bond was made, and the Interlining into it the Name of an Other Person, that could Claim no payment upon, and by virtue of the said Bond, are such heinous acts of Deceit and Treachery, that there need no words to Aggravate them. And therefore all that I will say further of him at this time (for I must Encounter him again) shall be partly in the words of the Comical Poet where he brings *Socias* in saying *Si dixero mendacium, solens meo more fecero, That Plant. in* if he Lied he did but what he was Accustom'd unto: and partly in *Amphib.* those of the wise Historian where he gives us the Character of certain treacherous Stoical Philosopher, viz. that being *Habitu & ore* *adex mendam imaginem honesti exercitus*, by his Garb and Language adapted unto, iand long Exercised in the personating of an Honest man; he was *atrum perfidiosus & subdolus, & sub specie bonarum artium Falsus, & amicitia Fallax*, Otherwise and in reality, a Deceitful and a Treacherous Wretch, who under the vail of pretending to be a Person of Truth, Justice and of Sincerity in Friendship, would be the more sure and ready in betraying and Sacrificing such, as had trusted unto, and relied upon him. So that having made this Griffith, as well as Meyrick. appear to be Persons loaded with those Vices and Scandals, which, in the Judgment of all who have Written concerning Judicial Proceedings in Criminal Causes, should have unqualified and disabled them, from the being admitted for Legal Witnesses in any Court whatsoever; I shall not at present inquire into the Characters of the rest of the Deposing Tribe against the Bishop of St. David's, in that both the whole Process, and the Sentence pronounced at last against his Lordship, will become obnoxious to a very severe Construction, because of the Scandalousness and Infamy

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my of those *Two*, who were both the Chief and Principal, and accounted by our great *Metropolitan* himself, the most Reputable of all those, who Deposed and Swore to the Offences and Crimes Articulated against the *Bishop*, whom his Grace to the surprize of all unbiassed and Impartial men, hath upon their Testimony ventur'd to Depose. Nor will I add any more under this head, save the condescending to the *Pedantry*, of citing the passage of the *Heroick Poet*:

*Accipe nunc Danaum jufidias, & Crimine ab uno
Disce omnes.*

However I have still an other *Observation* to to Subjoyn by which the whole *Procedure* against the *Bishop* of *St. David's*, will be brought under further Prejudice with all the Reasonable and Upright part of Mankind. Namely that the whole design of falling upon his Lordship was the effect and result of a *Conspiracy* of a certain party and Faction of men, who upon political motives and inducements of Pique and Revenge, united and Combined both to Disgrace and Ruin him. So that not only the *Commencement*, and the *Carrying on* of the *Process*, but the very *Decretory Sentence* of the *Metropolitan* who assum'd the whole Jurisdictional Power, were both founded in, and superstructed upon such a *Conjuration* of avow'd *Enemies*, as the *Laws* of all *Nations* do Declare inconsistent with the safety of the most Innocent, and which they haev allow'd to be a just Exception against the Righteousness, as well as the Equity, of all Judicial proceedings, that can be made appear to have been so Grounded and Supported. We have already laid it down for an establish'd and receiv'd *Maxim*, that niether *Conjurati*, *Conjurantes*, nor *quorum studium cum Accusatore sociatum, est, sine Testes adhibendi*, Such of whom it can be proved, that they had Combined and Conspired with the Accuser, or that they were gain'd and prevail'd upon by unlawful ways and means to give Evidence and Testimony, shou'd be admitted and held for Good and Legal Witnesses. And it can be no Offence to add, that by reason of what we of this Nation have seen, and had the doleful Experience of, it shou'd be the concern of the *English*, more than of any other people whatsoever, to take Special care, that neither the Reputations, nor Fortunes of men, no more than their Lives be invaded and Lost by and upon the Depositions
of

of a Gang of such Villanous Miscreants. Nor ought we to forget, how by a *Combination* of a Set of *Irish Varlets* (which I mention not as a Reflection upon that Kingdom, in which there are persons of Worth, Virtue and good Sense in proportion to those of other Countries) who upon prospect and hope of Reward, both Forged Crimes against a number of Guiltless persons of several Ranks and Qualities, and Swore them with that Assurance and Impudence, that our very *Courts of Judicature* could hardly avoid, the being brought to Condemn several Innocent as well as both good and Great men. Yea we have more late Examples and Instances, than I am willing to Recount, how this Kingdom hath been Imposed upon and Misled in reference as well to Persons, as Things, by giving too easie Belief to a Company of discontented and Factionous people, who had Conspired to Invent and spread Lies and Falsehoods. Nor is it unworthy of Remark, that upon the Multitudes being once Decoy'd and Bubbled to give Credit to Fictions, they do naturally thereupon become prejudiced against such, who shall have the honesty and Courage of attempting to undeceive them. And as it is possible to put that *Disguise of Truth* upon the *Grossest Falsehoods*, that even they who do most value themselves in the being Faithful to their own Judgments, may be so imposed and wrought upon by these *Mask'd Lies*, as to think it would be a disparagement to their Understandings not to Believe them; so they who have had the Misfortune to be drawn into an Eronious Opinion of persons and things, do even after their coming to be convinced that the reports which they had Entertained as just Representations, were meer Aspressions and Calumnies, chuse rather to persevere (tho' to the prejudice of their Consciences) in the opinion they had imbib'd, than by declaring their having Changed their Sentiments, expose themselves to the Censure, (and as they will be apt to account it to the Reproach) of having been at first either too weak or too Credulous. But to proceed on the Reflection I have advanced, namely, that the whole procedure against the *Bishop of St. David's*, it justly liable to the Construction and Censure of having been the Result and Effect of a *Combination* and *Conspiracy*. And of this I doubt not to produce such undeniable Evidence, as may effectually serve to convince the most prepossess'd and obstinate of his Enemies, and to Cloath some people

ple whom I forbear to name, with shame and Confusion. Nor will I insist on what hath been already said concerning the motives of Revenge, upon which the *Promoter*, and the Principal *Witnesses*, Commenced the *Process*, and undertook to Support it; and by what *Clandestine Defamations*, they studied to beget a previous Belief and Fame of the Offences and Crimes, which having been the Inventors and Forgers of, they intended to Draw into Articles, and to Form an Accusation upon: Tho' these ought, and would by all such as had delign'd to have judged justly and impartially, have been taken as full and sufficient proofs of an Antecedent malicious *Conspiracy* against the *Bishop*. But I shall now apply my self to the Demonstration of it by and from other *Topicks*; and do not question the making it evident beyond possibility of reply, that the whole Procedure against that *Prelate* was founded on a *Combination*, and Carried on in the virtue and under the influence of a wicked *Conspiracy*. Nor can any who desire to be esteem'd upright and unbiass'd, avoid becoming fully ascertain'd thereof, if they will but allow themselves to consider the *Si Quis*, and the *Hue and Cry*, which were Emitted unto and through all Parts of the Nation, and were to extend unto and to Authorize an *Inquisition* into all the *Stages* of his Life, for the obtaining matter of Accusation against him, and for the procuring and mustering of Witnesses, who should be ready to Depose and Swear, what his malicious and Revengeful Enemies had Conspired to charge him with. And of thss the very *Writer* of the *Summary View* could not forbear the giving us some Intimation, by Remitting us to the *Behaviour and Practices of the Tutor*, for the preparing us, the more easily to Believe the *Aspersions cast upon the Prelate*. Which method should it obtain and be pursued in relation to most men of the world, there would be something found, whereby to fasten Reproach and Ignominy upon many who deserve to be accounted very good and Virtuous People. And as the Liberty which some do take in Censuring others, doth usually proceed from a neglect of Examining themselves; so would they but consider, that others have the same Right of Erecting a Tribunal of Inquisition into their Lives; they would less usurp and Exercise a Jurisdiction of that kind. For as nothing can be more repugnant both to the Laws of God, and of all Nations whatsoever, or more inconsistent with the safety, as well

well as destructive of the Reputations of men, than the *Interrogatories* agreed upon and ordain'd to be made to such, as should be Examin'd concerning the *Bishop of St. David's*, and in relation to what was *Articulated* against him, so the naked and bare Repeating here of some of them, will uncontrollably shew us, that there was a *Form'd Combination and Conspiracy* not only for the *Defaming* but the *Destroying* of him. Namely, that every *Witness*, especially if known, or supposed, to have lived in his Family, should not only be Ask'd, whether he did not use to Swear, Curse, Scold with and Beat his Servants? But who of *Papists, Non-Furious &c.* came to his House, and whether he had not used to Drink King James, the late Queens and Prince of Wales Healths, and to their Restoration, and for the Return of Justice? And whether he had not been heard to speak Disaffectedly and Opprobriously of King William, and of the present Government? In a word, most, if not all the *Interrogatory's* were such, as it is both a Disgrace to the Nation, to have had them allow'd, and which should they be brought into *Precedent*, would be of Fatal Consequence to the Lives, as well as the Credits of men. And whensoever they come to be publish'd, as it is designed that in due time they shall, we shall have a Pattern set before us of a more dangerous *Inquisition* begun to be Erected in *England*, than that of *Spain*, which we Declaim against with so much just Indignation and Abhorrence. Nor can there be a better and more Convincing Evidence desir'd of a *Form'd Conspiracy* and *Conjuration* against the *Bishop of St. David's*; than that his *Metropolitan* Encouraged as well as Suffer'd an Inquiry and Search to be made, into all the Passages of his Private and publick Life: and that neither his *Discourse at his Table* nor his *Prayers at his Chappel*, were omitted the being Examin'd into in order to the finding some pretences, on which his Enemies might wreck their hatred and Revenge upon him. And as it is the first *Original* of the kind; so I am well assured there will be no occasion for *Copping* it, in relation to some of his Bitterest Adversaries; forasmuch that should it come to be their Portion hereafter to be judicially Prosecuted, there will more than enough be found in View and above-Board for Convicting them, without the having recourse to such Scandalous Methods. But to go on in the giving further Proof, that the whole Process against the *Bishop of St. David's*, was founded in a *Combination*, and Carried on thro the operation and power of a

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Conspiracy; I shall observe and represent the ways and means that were taken first to *Debauch* his *Servants* into an opinion of his being a great Criminal, and for *Suborning* them to become Subservient to the *Conspirators* in *Deposing* and *Swearing* what they had endeavour'd to possess them with a Belief of. And one instance of this kind, which I shall chuse to insist upon, tho' others also might be assigned, shall be concerning the Application made to one *John Catlyn*, the *Bishops Chaplain*, and by what *Lies* and *Calumnies* their was an attempt made, not only to have corrupted and Poyson'd him into an Infamous Opinion and Belief of his *Master*, but to have become a Witness unto their Defamations against him. And tho' this *Catlyn* hath been already mention'd under a former Head, in proof that some of those admitted to Depose against the Bishop, ought not to have had Credit given unto their Testimony; yet I cannot avoid the naming him again here, in that the large *Information* which he gave upon Oath, doth make it evident beyond the possibility of being reasonably Contradicted, that all the Trouble given unto, and the Disgrace and Loss brought upon the *Bishop*, sprung and proceeded from a *Combination* and *Conspiracy* laid and Concerted against him by a Company of Malicious and Revengful Men. The Summ and Substance then of *Catlyn's* Deposition, so far at least as it serveth to make Proof of what I am now discoursing about, I shall lay before the Reader as followeth. Namely, *That a certain Ecclesiastical Preferment or Benefice in the Bishops Gift, coming to fall Void Anno, 1690 when and while he Lived in his Lordships Family under the Character of his Chaplain; and that he having thereupon ask'd Mr. Edmond Meyrick, why he might not pretend to the having it Granted unto, and Bestow'd upon him by the Bishop; how that Meyrick replied thereunto, that he Catlyn was not to Expect it, in that the Bishop Disposed of all his Preferments Simoniacally; and that by reason thereof he had turn'd off and Dismiss'd several Ingenious men, whom he had brought with him into the Diocess, and particularly one Mr. Baker and one Mr. Nurse, without the having given them any Encouragement or Preferment, To which Meyrick further added in reproach and Defamation of his Diocesan, that he was a horrible Extortionist, and withall guilty of such other Crimes as render'd it a just Judgment of God to have Let the Rabble loose upon him. And that not only these, but that several other Scandalous and Calumnious accusations of the Bishop were*

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were spoken and vented by Meyrick, in order to possess Catlyn (as he believes) with an ill opinion of his Master, in hope that as there-upon he would have relinquish'd the serving him; so he would also have been gain'd to discover, whatsoever he might have either seen or heard, that could be improv'd to his Lord's Prejudice. And that upon the foregoing suggestions of Meyrick, and his promising not only to obtain some of the Chapter of St. David's Testimonial Letters of Catlyn's good Behaviour, during the time of his Residence in that Diocess; but that he would also procure a Letter from Dr. Halton, Recommending him to one of the Arch-Deacons of the Diocess of York; he had been thereby so far prevailed upon, as to say some things of the Bishop, which his Enemies might construe and apply to his disadvantage. But as they were not of a Criminal Nature, nor things whereby the Bishop could be Judicially affected; so he came likewise to be afterwards rectified in the apprehensions he had entertain'd of these very things, by finding that the whole, with the guilt whereof Meyrick had Charged the Bishop, was not only meer Inventions and Forgery; but that the said Meyrick himself had by word, writing, and Oath Renounced and Contradicted it in every Part, Branch and Article thereof. By which as Meyrick appeareth to be an Infamous and Perjur'd Slanderer; so we have thereby fully manifested and Confirmed unto us, that all the Proceeding against the Bishop of David's, were founded in a Conspiracy, that had been Form'd and Concerted for the Disgracing and Ruining of him.

Towards the further proving of which, I shall go on to the Producing of an other Witness whom there were not only Endeavours used to Suborn and Bribe, to Depose and Testify, against the Bishop, but who was likewise Menaced and Threatened for Refusing to Swear to what they had Dictated unto and in effect drawn up for him. The person I am to mention, is one Mr. Thomas Williams, Vicar of St. Harmon in the County of Radnor and Diocess of St. David's, whom they not only accosted and attacqu'd upon the Intention, and to the End I have Suggested, but on whom they were so Successful as by these Villanous means to Prevail with him to Write and Subscribe a Paper Anno. 1694. in which he Accused the Bishop of divers Corrupt and Ill Practices; but who coming afterwards to be convinced of the great Sin he had committed against God, and of the horrid Wrong and Injustice which he had done the Bishop, did thereupon not only Confess and Declare unto his

his Lordship, how heynously he had Injur'd him, begging with earnestness and Humility that he might be Forgiven; but he likewise by repeated Depositions upon Oath, both acquitted and Vindicated the Bishop from being Guilty of the Offences, with which upon the impertunity and Subordination of others, he had falsely as well as Scandalously Charged him; and withal Sacredly affirm'd and Declar'd, that he Believed his Lordship to be of a strict and Sober Life, and to have Liv'd regularly in his Family. Adding also thereunto a Discovery and Detection both of the Men and of the Method's, by whom and which he had been drawn to the perpetration of the abominable Crime of *Accusing the Bishop* no less unrighteously, than Scandalously. And seeing a brief Relation of what *Williams* hath Sworn to the foremention'd purpose, may serve both to Let the Reader into a fuller Knowledge of that Mystery of Wickedness and injustice, which hath been carried on against the *Bishop of St. David's*, and also give a further discovery of the *Conspiracy* that hath been *Entred* into against his Lordship, I shall therefore Indea-
vour to give it as Compendiously as I can. Nor will it be necessary to *Premise* any large account, how *Thomas Williams* had become provok'd against the *Bishop*, and thereupon came to be thought by the *Conspirators* to be a proper Person for them to *Apply* unto, in hope of Enveigling him to Turn such a *Witness* against his Lordship, that in order to the being revenged, he should be ready to *Depose* any thing that should be *Dictated* unto him; in that the whole needful to be said for our being sufficiently enlightned therein may be reduced into a very narrow Room. Namely, that his *Father*, who had been *Vicar of Lanarenvour* in the County of *Brecknock*, coming to Die, he the said *Thomas Williams* did thereupon apply unto, and sollicite the *Bishop*, for the obtaining his Lordship's Grant of that *Living*, being withall countenanced and supported in his Request by the Recommendations of some Noble Persons, who Interceded in his Behalf; but that the *Bishop* having not only previously *Promised* it to another, in case it should become void in his time; but having likewise obliged himself to a *Gentleman* of the Parish, not to *Collate* the *Son*, if the *Father* died, he stood thereby, and was there upon so preingaged and bound up, that without the Consent of both those Parties, it was not in his Lordship's Power either to *Gratify Williams*, or to *Comply* with the *Desires* of the *Noble Persons* who had Interested themselves

in his Favour. And both the Two foremention'd Parties insisting on the Promises that had been made unto them, and Mr. Howel Griffith, to whom the Bishop had given his word for Collating him unto it, Challenging his Lordships Performance thereof, he was indispensably oblig'd to Collate him, and accordingly did. At which Williams growing so Provoked and Enraged, as not only to oppose and keep out the Bishops Clerk, till the Law removed the Impediments, but to take all occasions of expressing how much he thought himself injur'd by the Bishop, the Conspirators thereupon took the Advantage of Williams's Passion and Anger (under the Power of which as Cicero says, *nihil recte, nihil considerate fieri potest*) and flattering themselves offic. Lib. with hopes that he might be made Ministerial unto them in the design in which they were Combined against the Bishop, they applied themselves unto him to Suborn him. In the management whereof they made it their first business to Calumniate and Defame his Lordship, and having as they thought sufficiently Blacken'd him, their next was by Promises and Threatning to prevail with Williams to undertake the Swearing of those things against him, which they had Invented and Forged. For Williams hath not only Deposed upon Oath, that Lucy Williams Represented the Bishop unto him, for a Swearer, an Extortioner, the Bp's and the being such a Villain and Monster in Nature, as that he was no 41. Wilm. ways fit to be a Bishop, and that he had several Persons to produce, who could give such Informations against him, as would cause his being Turn'd out of his Bishoprick; but he likewise Deposeth how that, the said Lucy in conjunction with Jeremiah Griffith had perswaded and Suborn'd him to say, that in order to his prevailing with the Bishop to Collate him to his Father's Living, he had left with and Given unto him the Sum of 8 l. And that by way of Encouragement unto him, to fasten the having deliver'd the said Sum into the Bishops hand, they not only assured him of being, both protected from Swearing it, and cover'd from all the Inconveniencies, which he might fear the being made obnoxious unto, upon his accusing the Bishop with the Receipt of it; but that he should acquire great Friends, and be speedily rais'd to preferments. And that accordingly Lucy and Griffith, upon his the said Williams's application unto them, for the having the Rectory of Cregrian in the County of Radnor bestow'd upon him, did by their writing to Dr. Oxenden in his behalf, obtain for him both a Sequestration of that Rectory, and a Licence to serve the Cure. But that his the said Williams's Information against the Bishop before the Com-

missioners for visiting the Diocese of St. David's, not coming up to a positive Fastning of the foremention'd Summ upon his Lordship; Lucy had therefore not only denied to deliver unto him the Instruments for the Sequestration and Licence, tho' the Fees for them had before been actually Paid; but thrust him out of his Office when he went to demand them, telling him that he should have neither, untill he drew an other Information, where the Receipt of the 8 l. should be directly and expressly charged upon the Bishop. And that he the said Williams finding himself thus menaced and threatned thereunto, did in Lucy's Office draw a new Information, according to the Tenor, and in the words, that they suborned him to to do it. By which, as we have a plain discovery made us of the means and methods taken and pursu'd, for the Procuring Witnesses to Swear to the pretended Crimes, whereof the Bishop was Accused; so we have all the evidence given us, that can reasonably be desired, for convincing and fully satisfying such as are unprejudiced and impartial, that the whole Process against the said Prelate, was founded and carry'd on in the strength and virtue of a Combination and Conspiracy, wherein a company of Men, void of Conscience, and full of Revenge, had joyned and united for the Ruining of him. And tho' Williams's falling into the measures, to which the Conspirators had tempted and suborn'd him, and his being prevail'd on by their Promises and Threatnings, to the giving an Information at first against the Bishop, may be Interpreted by some, as that which doth greatly diminish from the validity of the Testimony which he gave afterwards in his favour, and made an Argument for the Lessening the Credit that should be given unto it; yet whosoever will be but so just unto themselves, as to consider that what he said in the last, proceeded from a serious and deep sense of the Guilt he had contracted by the former, must unavoidably find themselves oblig'd to give more Belief to what he Deposed under the awakening and powerful impressions of Contrition and Repentance, and upon no other motive, save the qualifying himself to be forgiven the Sin he had committed against God, and the Injury he had done the Bishop; than it is possible for them to give to the Information, which he had unadvisedly and hastily made, under the influence of Anger and Hatred, for wrongs (as he conceived) done by the Bishop unto himself, and at the Instigation of the Conspirators, who had undertaken to give him both the satisfaction of being Revenged upon his Lordship, and to see him

Recompenced and Rewarded with some considerable Ecclesiastical Preferment, for his Consenting to act Subservantly to them in the Design they had laid for getting the Bishop to be Disgraced and Deprived. So that as *optimus est portus penitenti, mutatio Consilii*, the best Haven and Sanctuary, to which one who is a sincere Penitent can fly and betake himself, in order to his escaping the wrath of God, and the contempt and indignation of Men, is to Confess and Retract his Offence, and to Repair the wrong he had done by it: so it is not only *pena Genus vidisse precantem*, an inflicting a punishment upon himself for the Crimes whereof he had been Guilty, to be found acknowledging it and imploring pardon, but he doth thereby recover a Right to be held and esteem'd for a man of Probity. Nor will any refuse to render that Justice unto him, unless it be such who do more value People for persevering in a Wickedness, which they hope to find their Interest and advantage by; than for Turning to be honest to their Loss and prejudice. And therefore as to what the Author of the Summary View is pleas'd to say in way of detraction from the Truth and Credibility of Williams's Testimony, wherein he both Vindicates the Bishop and gives an excellent Character of him; namely, that he not only made that Deposition in consideration and on the motive of the Bishops having Collated him to the Vicarage of St. Harman, but that he is not a person of that virtue as to deserve the having Credit given to what he says, because that being a Batchelor he is reported to have some Children, and particularly one by Catherine Clement, and another by Margaret Davies; It is all demonstratively Frivolous and Impertinent, as well as destitute of Legal Proof for supporting either the Accusation against Williams himself, or the Exceptions against his Evidence. Seeing in reference to the first, that as the Bishop neither previously unto, nor at the time of his Collating Williams to the Vicarage of St. Harman, knew of his having been gain'd by the Conspirators to write and to give in an Information against him, the Sole and alone Inducement upon which his Lordship preferred him, being his Father's, having left Sixteen in Family unprovided for, of whom the Care was become devolved upon him; so they must have renounced Common sense, who are capable of believing, that Williams should have abandoned and Sacrificed (unless upon the pure and single reasons of Conscience and Justice) the hopes that had been given him by the Conspirators, of his coming to be particularly consider'd

Cicer. Philipp. 2. 1.

Cladius.

P. 10. 11.

and signally advanced by those who were the *Bishop's* Enemies; and withall make himself liable to the Wrath and Revenge of such, as had Power, and would not want Inclination to Crush him; and all this upon no other motive or prospect, than the saving of a person, of whose approaching and unavoidable Ruin he had been ascertain'd, and whereof even then he stood firmly assured. And 'as none, save such who are weak and foolish to the last degree (unless upon Inducements of Truth and Righteousness) will forsake the side of the powerful and prevailing, and in whose success they are possess'd with a Belief of getting their Fortunes plentifully made; to have the pleasure of being undone for Espousing the Concern of one defamed, despised and persecuted; so we must think *Williams* fitter to be a *Residentary* in the *Dull-House* of *Amsterdam*, or in the *Palace* of *Bedlam* here at *London*, rather than to be *Vicar* of *St. Harmon*, if we can imagine him capable, (except in compliance with the obligations of Duty to God and man) that for the preserving the useless favour of the *Bishop* of *St. David's* he should chuse to incurr the indignation and wrath of the great and mighty, who having Conspired to ruine that *Prelate*, would be sure to embrace all occasions of Exerting their displeasure against such as should dare to have the integrity and courage to appear for him. And whatsoever Reflection it may leave on *Williams* for disabling his Testimony in some certain Cases, that after he first *Inform'd* against the *Bishop* he hath since *Deposed* for him; yet we have already observed it to be a Rule established by *Civilians*, that *Deposito Subornati*, is to be received *contra Subornantem* notwithstanding of that. And then as to the *Immorality*, with which the *Author* of the foresaid Discourse Chargeth *Williams*, if his Passion had not darkned his understanding, he would not have ventur'd to mention it. In that the same *Williams* having been presented and recommended to *Dr. Oxenden* and others, for a good and creditable *Witness* against the *Bishop*, he ought not to be excepted against as incompetent when he appears for him. Unless they be willing we should know, that provided people will but Swear in Behalf of the *Promoter* they shall both be cover'd from reproach upon the score of being vitious, and have an Indulgence for the Practice of Crimes; whereas such as shall appear to Depose in favour of the *Bishop*, shall not only be Censur'd for their smallest Faults, but Calumniated as guilty of those, of which they are altogether Innocent. Further were *Williams* really criminal in the way and manner that the *Wri-*

ter of the *Summary View* accuseth him, the not proceeding Ecclesiastically against him, will leave but a very Scandalous Reflection upon his *Metropolitan* the Arch-Bishop of *Canterbury*. In that the Inspection of the Manners of the Clergy of his Province being Entrusted with his Grace, and he standing Vested with a Power of Punishing them for their Immoralities, he must be pronounced Guilty of neglecting his Duty both to God and the Church, could these Crimes be proved against *Williams*, and yet he Escape the being Censur'd. And if it shall be alledged in Justification of the *Arch-Bishop* for that Omission, that there is not Evidence enough upon which to Convict *Williams*, I must then take Liberty to say, and that upon no less Authority than a Text of *St. Pauls*, that an Accusation of so Defamatory a nature should not have been admitted against him, and much less publish'd in print. For it is the Express Injunction of that *Apostle*, that an Accusation shall not be Received against an Elder, but before two or three Witnesses. And indeed should the aspersing either of *Presbiters*, or *Bishops*, with these or the like Enormities upon one Fellows suggestion, be encouraged and allow'd; I fear there would be more Dirt thrown as well upon the *White* as the *Sable*, then will be for the honour of those of the *Spiritual Orders*. Nor need I go far for an Instance thereof, it being commonly reported here in Town, that one of the *Lay-Bench*, upon his Thundering out Oaths as ornaments of his Discourse, being desir'd by one of the *Ecclesiastical* to give over Swearing, should have replied by advising him to give over Whoring. And as I hope, there was never any just occasion given for that Reproach, and that it was only meant as a piquant *Repartee* and a peice of *Raillery*, by one who indulged himself in all the Latitudes of those kinds, which he was qualified for; so I do not find that there was any Ground, for Charging *Williams* with the foremention'd Crime, in that there was never any publick fame of it, as there would unavoidiably have been of such a Scandalous and notorious an offence; nor hath *Lucy* the *Promoter*, who Acts in that *Arch-Deacony*, and who hath been sufficiently provok'd to get him turn'd out of his *Living* for it, had it been true, dared to have him judicially accused thereof.

But to insist no further on the proof of a *Combination* and *Conspiracy* against the *Bishop* from what *Williams* deposed, I shall in the next place endeavour to give another undeniable Demonstration thereof

See Hen-
den's An-
swers to the
Interrogat.
Oâ. 12.
1698.

thereof; by observing what Applications were made to several Persons, (whose credit in what they say is beyond Exception) for the *Bribing* and *Suborning* them to have become *Witnesses*, and to have sworn Crimes against the *Prelate*, of which they had no Knowledge of his being Guilty. And the *First* whom I shall mention as Addressed unto, and Solicited to the perpetration of that Horrid Villany, is one *Solomon Henden Vicar of Lawhaden and Curate of Yerbaston*, who has Inform'd and Deposed as here followeth or to that Effect. Namely that he the said Henden, being Summoned to appear at Haverfordwest before the Commissioners at the *Metropolitcal Visitation* held there Anno. 1694. was accosted and importuned both by Lucy the promoter, and by diverse of the Commissioners themselves, to Declars things relating to his own Institution by the Bishop, that would have Crimminally affected him, and whereof tho he knew nothing, yet they would have Suborn'd Henden that he must needs be Conscious of them. And that they might the more effectually Influence and gain him to swear unto the Fictions and Forgeries, which they had suggested unto him, they not only told him, that in *Majorem & abundantem Cautelam* (as the Dean of the Arches expressed it) he should have his Institution Confirmed *Gratis* unto him; but that he should be recommended to the favour of the late Arch-Bishop of Canterbury, who (as the then Bishop of St. Asaph, now of Worcester assured him) would upon his, and the Dean of the Arches Recommendation, undoubtedly prefer him. But Finding he did not at the time and Place foremention'd, Inform as they flatter'd themselves he would by these Gracious Offers, and general promises, have been wheedled and Suborn'd to do, he was thereupon applied more particularly and directly unto, and that not only by *Jeremiah Griffith* in two several Letters and of different Dates, in which he undertook to assure him, that in case he would go to London and Inform against the Bishop in the manner and to the purpose that had been desired, he should have the prebend of St. Hermon bestowed upon him as a Recompence and Reward for doing it, but also by *Dr. Oxenden*, who meeting him occasionally at Cambridge, told him that provided he would go thither, and act accordingly, as they pretended to think he might, Lucy the promoter should Graciously him for his Journey. Upon which Deposition, as there needs no Commentary, either towards the Detecting of the Conspiracy, that had been Form'd against the Bishop of St. David's, or for the manifesting

manifesting an open and avowed *Subornation* of Persons to appear *Witnesses* in fastning those Crimes upon him, which the *Conspirators* having *Forged*, had agreed among themselves he should be Accused of; so I am hereunto not only to Subjoyn the *Application* that was made by *Jeremiah Griffith* to *Thomas Phillips* Rector of *Arrodow* in the County of *Radnock*, by way of Importuning and *Solliciting* him to joyn with the said *Griffith* and others in the *Information* for *Extortion*, that was exhibited against the Bishop at *Brecknock*; but likewise the endeavours which were used and the *Promises* that were made to *Henry Rogers* Vicar of *Lanbadarn* in the County of *Cardigan* towards the *Suborning* and prevailing upon him to become a *Witness* of things against the Bishop, whercof he no ways knew him to be guilty. To all which might likewise be farther added, how that *Lucy*, *Griffith* and others of the *Conspirators*, for the *Preventing* of the *Discovery* of their Villanous *Conjuraton* against their *Diocesan*, and for the better Concealing their Horrid practice in *Suborning* of *Witnesses*, and of gaining them by *Menaces* and *Threatnings*, as well as by *Caress*, *Flattery* and *Promises*, to Swear unto whatsoever they advised them; had obstructed and hindered several Persons, from appearing to give *Testimony* in matters of the greatest Importance in the Bishop's Case, wherein their Informations would have greatly conduced, both to the *Vindication* of his Lordships *Innocency* and *Honour*; and to the *Cloathing* his Enemies with *Infamy* and *Confusion*. Whereunto might be also annexed an Account not only of the payment of *Money* (particularly at one time of a Box filled with *Guineas*) to *Lucy* the *Promoter*, as well to reward him for, as to encourage him in the pursuit of what he had undertaken against the Bishop; but how several Persons had been applied unto for the *Contributing* of *Money*, for and towards the *Carrying on*, and the defraying the *Cost* and *Expences* of the *Process*. Yea to all that hath been already offer'd, there might still be subjoyn'd in further Confirmation both of the foremention'd *Conspiracy*, and of the *Extent* of the *Combination* against the Bishop, how that many of his *Allegations* as well in *Proof* of his own *Innocency*, as for *invalidating* and *overthrowing* the *Testimonies* of the *Promoters* *Witnesses*, were not only refused by the Arch-Bishop of *Canterbury* from being Received previously to his *Graces* *Concluding* of the Cause; (where as according to all *Laws* whatsoever, and by virtue of the common and acknowledged *Maxims* and *Rules* of *Justice* and *Equity*, they ought to have been admitted antecedently thereunto

The Bp's
36 Wm.
Answ. to
Interrogat.

Rogers
Answ. to
Interrogat.
Oct. 12.
1698.

See the
Excepr.
put in by
the Bishp
Jan. 19.
1699.

See the
Deposit. of
Ch. Price
the Bp's ii.
Wim.

unto) but that even when his *Exceptions and Allegations* were renewed before, and offer'd unto the *Delegaters* for and to the *Ends and purposes* mention'd, they were by them likewise *Rejected*. And notwithstanding my *Lord Chancellor's* having Declared in the *House of Peers*, that whensoever the *Bishops Cause* should come to be heard by the *Delegates*, he should have *Liberty* allow'd him *probandi non probata, & allegandi non Allegata*; yet such was the *prepossession and prejudice* (not to say *Injustice*) of *Bishop Patrick, Bishop Moor, Bishop Williams*, and of some other of that number against his *Lordship*, that he could not obtain his *Allegations* to be *Received and Admitted*, Tho they were both of that nature and importance in themselves, and would have been proved and justified upon Oath by such *Credible and unexceptionable persons*, as must before any impartial *Judicature*, have abundantly *Vindicated* him from those things, with which he either stood *Scandalized*, or whereof he was *Criminally Accused*. By and from every one of which *Topics of Reasoning and Argumentation*, as the *Conjuration* against the *Bishop* remains Declared and demonstrated, beyond the possibility either of *Evasion or Reply*; so we learn from several of them, by what means and *Methods*, and in what manner, the *Conspirators* came to muster such a *Troop of Witnesses* against his *Lordship*. And as the *Promoter* and his principal *Agents*, upon what hath been said, cannot escape falling under the Character of being *Infamous wretches*, as well as a set of *Miscreants*, against whose malice and *Conjuration* none can be cover'd and shelter'd by their *Innocency*; so we have a very odd *Idea* not only given us of some persons, whom I forbear to name, by reason of their having dipt and been involved too far, in diverse of these *unrighteous and Scandalous facts and Methods*, but that even they who did either take upon them to *Act Jurisdictionally, or Judicially* to assist, in a *Process* which had been contrived, and was supported in the manner and by the means, that I have Related, ought not to be offended, for having their proceedings *Reflected* upon, with more than ordinary *Severity*.

But tho the *Combination* against the *Bishop of St. David's*, may by most of those who shall read this *Discourse*, be thought to be more than sufficiently demonstrated; yet when I both consider of what pernicious *Consequence*, all *Conspiracies* (whatsoever they are) may prove to the *peace and safety of Man-*
kind

kind in general ; as well as to the Reputation, Fortune, and Life of this or that Man in particular ; and that as false *Accusers* are *Genus hominum publico exitio repertum, & panis nunquam satis Tacit. coercitum, A sort of Miscreants fram'd and prepared for the intro-* An. 4. *ducing and causing of publick Ruine, and whom no Enacted Punishments have been effectual enough to deter and restrain ; and that this also is mos vulgo, quamvis Falsis Reum subdere, usual for the herd Tacit. Hist. and Bulk of the People to believe such to be Guilty as are Accused, lib. 2. tho Charged never so Wrongfully ; and that they who Calumniously defame and asperse them are commonly ea duritia oris, ut de- Senec. ad pudere didicerint, of such a Brazen Countenance, and scared Conscience Seren. that they can neither outwardly Blush, nor inwardly be ashamed ; I say that on the consideration of these things, I shall assume the Liberty of pursuing this Article a little further, in showing how the Conspirators had been guilty of the Villany and Impudence, both of getting the Bishop Accused of Crimes, which were acknowledged afterwards in effect to have been meerly Invented and Forged ; and also of Suborning those for Witnesses to Swear unto the Truth of them, whose Depositions they were in a little time forced to abandon and give up as the meer Perjuries of infamous Rascals. And hereof I shall give two no less undeniable, than remarkable Instances. Of which the first is, that one William Perkins was Suborned to Swear at the Metropolitan Vistitation held at Brecknock, that having obtained from Bishop Lucy Predecessor to the present Bishop a Lease for 3 Lives of certain Tenements of Lands call'd the Treasury near St. David's : And there being One of the Three (whose Name was in the Lease) dead, that he the said Perkins, had thereupon, Repair'd to Bishop Watson, for the Renewing of the Lease, with the Addition of another Life in it ; and that having unto that End, put the Lease Granted by Bishop Lucy, into the Hands of Bishop Watson ; How he the said Bishop Watson, instead of Granting unto him what he desir'd, had not only affirm'd it to be a void Lease, and accordingly put it into his Pocket, and detain'd it from Perkins, but had Granted a Lease of the foremention'd Tenements, to another, viz. to one William Williams. Whereof, cou'd the Bishop have been prov'd Guilty, all Men must have acknowledg'd it to have been, as well an Act of Fraud, Treachery, and Injustice unto, as of great Oppression upon Perkins. So that it was no Mervail, that the then Bishop of St. Asaph, (now of Worcester) who was one of the Visitors, should have declared it to be the worst thing*

alleg'd at that *Visitation*, against the *Bishop of St. David's*. And therefore, as the *Conspirators* had design'd it for one of the most Material Articles, upon which they had Combined to get the *Bishop* Convicted and Depriv'd; so not only *Edmund Merrick*, *William Ford*, and *Peter Lewis*, previously endeavour'd, through becoming *Vouchers* thereof, to support *Perkins's* Veracity and Credit, in the having Deposed and Sworn it: But *Lucy*, the *Promoter*, made it also, one of the chiefest, and most principle *Interrogatories*, upon which in the course of the Process, several were *Examin'd*. But the *Bishop* having not only been so fortunate, as both to Recover the old *Lease*, of which he was accused to have Defrauded and Robb'd *Perkins*; but also to find, that it had on a valuable Consideration, been Assign'd by *Perkins* himself, unto *Williams*: and having been likewise inabled to prove the Truth and Reality of the said *Assignment*, by diverse reputable *Witnesses*; the *Promoter* and his *Agents*, were thereupon, forc'd to abandon, and forbear the Insisting upon it, as an *Article* in the *Accusation*, on which the *Bishop* came to be *Sentenced*. However, I have not only reason to hope, but I may challenge it as a Justice from Mankind, that having heard all that hath been Related of *Perkins's Information* against the *Bishop*, and by whom he was both gain'd unto it, and who were the *Vouchers* thereof, as well as of his Credit, they should after that, give no Faith to any thing whatsoever, which the very best of the *Conspirator's* *Witnesses* have been brought to Depose and Swear in his Defamation, and to his Prejudice. For as we have declared before from the *Civilians*, that the *Reputation* of every *Witness* who hath appear'd in that Cause, is greatly detracted from, and the Truth of what they Deposed, become justly suspected, and made very questionable, because of the Subornations used towards, and by reason of the undeniable Perjuries, whereof some of that Number are found Guilty: So no Faith ought to have been given to the Testimony even of such, upon whom the like Villanies, neither are, nor can be evidently fastned; it being enough to invalidate their Evidence that *noscentur ex Sociis*. But there remains yet a *Second Instance*, both of the Malice and Impudence of the *Conspirators*, and of the certainty of a *Conjuration* that had been concerted and form'd, for Disgracing and Ruining the *Bishop*; and that is the having aspersed him with, and accused him of *Capital*, as well as of Infamous

See the Answer of Jo. Hall, Th. Roberts, and Hen. Harris, ad Inter. 6.

Thomas Roberts, ubi sup.

famous Crimes, which coming to appear to be their own meer and audacious Forgeries, they were likewise forc'd to relinquish the insisting upon, and the great *Metropolitan* necessitated also, to Omit the mentioning of them, among the Offences he was pleas'd to assign, as the Reasons of his *Decretory Sentence*. And as the Relating of the *Fact*, cannot fail of raising Indignation against the *Promoter* and his *Agents*, in the Minds of all who are Upright and Impartial; so it will be impossible, but that they who deserve those Characters, will find themselves oblig'd to believe, That nothing save the Confidence, which the *Conspirators* had of the Prepossession and Partiality, as well as of the Favour of those, before whom the *Process* was to lie, could have given them the Boldness of Calumniating the *Bishop*, with such horrid Crimes, which at the same time that they accused him of them, they knew to be false, as having themselves invented them. In the giving an Account whereof, I shall be so Candid, as to take it from the *Interrogatories*, which were agreed upon, and appointed to be made to such, as were produc'd for *Witnesses* in the *Process*, and who were brought to *Depose* in Favour of the *Bishop*. Namely, That one *Constable*, a *Servant* of the *Bishop's*, of whom his Lordship had borrow'd Money, and had given a *Bill*, *Note*, or *Bond*, for the Payment thereof: Coming to fall Sick at *St. David's*, Anno. 1688, the *Bishop* thereupon, and while his *Servant* was in that Condition, did take away the said *Bill* or *Bond*, and used that Violence in the doing of it, as to have both so Kick't and Kneel'd upon him, that the poor Man did not live long after; and that in the Interim during his Sickness, the *Bishop* took no Care of him, nor either left, or order'd any Money to be disburs'd for, and about him. The plain and natural Meaning of all which, and the evident Design of the *Conspirators* therein, was not only the getting the *Bishop* Defam'd, as one guilty of *Murder*, as well as of *Robbery*, but to have brought his Life into Danger, if they could have procured *Witnesses* for the proving of these Crimes upon him. Whereas, instead thereof, it is Deposed and Sworn by *John Hall*, one of the *Vicar's Choral* of *St. David's*, That the said *Constable* having fallen Sick at his House, was remov'd to the House of one *Elizabeth Parry*, where, by Vertue, and in Pursuance of an Order given by the *Bishop* to *David George*, another of the *Vicar's Choral*, of the same Cathedral, he was through the Instruction, Care, and Command of the said *George*, well and tenderly look't after.

Test. 19.
ad Interr.

after. And that as the Distemper whereof he Died, was a Feaver; so whatsoever Money Constable had, it was left, Bequeathed, and Given by himself, to the foremention'd David George. So that from what hath been now Related, we have all the Evidence before us that the Matter will bear, That there had been a Malicious Conspiracy form'd, and enter'd into, both for the Disgracing of the Bishop of St. David's, and for the getting him Deprived. And as that alone, is sufficient for begetting an ill Opinion of the whole Process, and enough to render all the Proceedings against him obnoxious, to a very severe Censure; so I am sorry to be forc'd to add, That such who had not only failed in the Proof of the Crimes I have mention'd, with which they had both publickly aspersed that Prelate, and had caused diverse Persons to be judicially examin'd, in order to the fastning them criminally upon him, should nevertheless, preserve that Esteem with, have that Influence upon, and obtain that Credit to be given unto them by the Grand Metropolitan, as to be able to draw him to the pronouncing such a Sentence against a Comprovincial Bishop, as he hath done. Whereas, upon the Article that I last mention'd, the Promoter and his Agents, would both by the Judaick and Roman Laws, (and the Want of the like Provision, is a Defect in ours) have been punished instead of the Bishop, and have had the Penalty Inflicted upon them, which by accusing his Lordship of the forenam'd Offences, they had endeavour'd to bring upon him.

Deut. 19.
18, 19.

Seeing it stands not only ordain'd in the Divine Law, That if one hath Testified falsly against his Brother, it shall then be done unto him, as he thought to have done unto his Brother: But it was also appointed by the *Lex Rhemina* among the Romans, ut qui crimen intenderet, quod probare non posset, poenam ferret, quam laturus erat Reus, si convictus fuisset; That, whosoever charged another with Crimes, whereof he could not prove him to be Guilty, how in that case, the Accuser should be made obnoxious to the same Punishment, which the Person accused; would have been lyable unto, had he been legally and judicially convicted of them. And therefore there are Two Remedies provided in the Civil Law, for hindering Persons from being causelessly and unjustly prosecuted; whereof as the First is, That the Prosecutor shall find Sureties for his carrying on, and making good the several Articles charged upon the Party whom he Accuseth. So the Second was, That

Lib. 3. H. ad Talionis poenam se obligabat in casum calumniæ; in case of his

his being found to have calumniated him, he should stand oblig'd to undergo the same Punishment, which he whom he had Accused, if Convicted, would have been subject, and obnoxious unto. And as we have in the foregoing Instance, an Example Revived unto, and set before us of the antient, villainous *Delatores Falsæ Informers*, on whom the *Historian* (as I said before) hath left the infamous and indelible Brand, that they were *Genus hominum publico exitio repertum*, a Sett of Miscreants, encouraged and made use of, to the Disgrace of Justice, and the Sub-
version of the End of Laws, as well as in order to the Destroying of the most Innocent, Virtuous, and the Best Men: So it can give no just offences upon this occasion to add, That they always brought and left a Reproach and Infamy, upon the Reigns and Administrations of those under whom they were suffer'd; whereas the causing them to be punished in the severest manner, is made the Honour and Glory of the Governments and Dominations of such, as order'd them to be so Treated: Whereof we have Two Illustrious Examples. The First under Titus Vespasian, and the Second, under Trajan, and both of them improved, and applied by such as writ either their Lives, or their ways of Ruling, to the singular Commendation of those Emperors. Namely, That as Titus, after they had been fla-
gellicis et fustibus casos, et traductos per Amphitheatri arenam, partim subici in servos et venire imperavit, partim in asperissimas Insulas avehi; publicly Scourged, and ignominiously drawn through the Amphitheatres, as an opprobrious Spectacle: He caused some of them to be Sold for Slaves, and others of them, to be Banish'd into desolate Islands. So Trajan, quassis navigiis impositos tempestatibus absorbendos, aut in desertos scopulos impingendos attri-
Sust. in Tit.
buit; caused them to be Ship'd and sent to Sea in Leaky and Rotten Vessels, to be Swallow'd up by Tempestuous Waves, or to be thrown upon Rocks in desert Places. Whereunto I do crave Liberty further to Subjoyn, before I shut up and go off from the foregoing Article, That as the Allowance granted by the present Arch-Bishop of Canterbury, as well as by the former, for making Inquisition after Crimes, which could be prosecuted only before a Civil Tribunal, (and with which their presuming to Meddle, was an Usurpation of a Power and Authority, which neither the *Laws* of the *Land*, nor the *Canons* of the Church, had vested in them) doth shew with what Prepossession, Prejudice, Pique and Hatred, they gave way unto, and enter-
tain'd

Plin. Pan-
ney. cap.
34.

tain'd the *Process* against the *Bishop* of *St. David's*: So it is too apparent from the Conduct and Behaviour of the *Metropolitan*, and those who were his *Assessors*, that during the whole time and course of the Proceedings, there was more *Favour* express'd to the *Promoter* and his *Instruments*, than should have been exercised toward those whom they found to be the *Bishop's* Malicious, and Revengeful *Enemies*; and also more *Credit* given unto the Testimony of the Witnesses produced by *Lucy*, than was consistent with Justice, to give to the *Depositions* of a Tribe of Men, against some of whom, it was prov'd beyond possibility of Evasion or Denial, That they had been *Suborn'd* and *Brib'd*. For besides that the admitting any *Inquisition* whatsoever, to be made into, and after the Facts that have been mention'd, did declare a greater *Partiality* in *Him*, and *Them*, who pretended to a Jurisdiction for taking Cognizance of the Cause, than became either their Character, or their Duty; so by their Countenancing the Continuance of that *Inquisition* so long after the Commencement of the *Process*, they manifested themselves to be either very ignorant of the *Civil Law*, or very careless in the Regulation of their Proceedings by it. In that as it is an establish'd Rule in the *Civil Law*, That *ubi incipit accusatio desinit Inquisitio*; whensoever the *Process* begins, no *Inquisition* is to be allow'd afterwards: The reason whereof is, because that the Design of a *Process*, is not to find out Offences, but to prove those already detected, and of which the Party *Indicted*, or *Articulated* against, stands previously, and actually *Accused*. Yea, it is further provided for, by the *Civil Law*, That if the *Judge*, as well as the *Informer*, have not a reasonable Ground upon which to bottom their *Inquiry*, they shall be punishable for putting a Person to an *Inquisition*, for any Crime. For if it were otherwise, and that they should have an Arbitrations Liberty granted them in that Matter, it would be in their Power, to Defame the Best and most Innocent Men at their Pleasures. And a little Acquaintance with that Heathen Writer *Cicero*, would have taught them to put a Distinction between *Accusare*, et *Maledicere*, whereof the First is *in ordine ut rem definiat, hominem ut notet, argumento probet, teste confirmet*; to assign the Crime, name the Person articled against as guilty of it, and to prove it upon him by undeniable Arguments, and by the Testimony of Good and Legal Witnesses. Whereas the Second, *nihil habet propositi, præter contumeliam*, aims at nothing save the Calumniating and Defaming

Orat. pro
M. Cælio.

faming of the Man. And I cannot forbear saying, That I am the more surpris'd to find the *Arch-Bishop of Canterbury* so obnoxious, to be Reflect'd upon (as he too justly is) for the not having Govern'd himself in his Judicial Proceedings, according to the foremention'd *Rule* and *Axiom* of the *Civil Law*; When I consider that as a little Conversation with *Seneca*, would have taught him, That *latiores sunt Normæ morum quam Regule Juris*, the *Moral Measures* whereby we ought to Govern our Selves and our Actions, are far Larger, and more Extensive, than any Injunctions and Rules given unto, and set us by *Human Laws*, are, or can be: So a little Familiarity with the Bible, and Revealed Religion, would have abundantly Instructed his Grace, That *Religio ampliora et exactiora Officia, quam Civiles Leges exigit*; Christianity doth require of, and obligeth us unto further Degrees, and a more exact Performance of all Duties, whether Social or Personal, than the Laws of Nations were ever made, or intended for. Nor will I enlarge either this Paragraph, or that Part of this Discourse, which I had designed for a General Inquiry into the Proceedings against the Bishop of *St. David's* any farther, save to observe that the Partial Favour shew'd all along to the Promoter and his Complices, and Fellow Conspirators, who plainly appear'd to be *Ejus Innocentia malis artibus insens*, on Mo-
Tacit. Hist.
 tives of Malice and Revenge, and upon Prospects of Gain and Pre-
Lib. I.
 ferment, as well as from Hopes of being Conniv'd at, and Indulged in the Practices of Extortions, and the other Irregularities, which his Lordship had Threatn'd to Censure them for his Declared and Avow'd Enemies. Save I say to observe how that by reason of that unequal Favour shew'd unto them, and because of the forward and easie Belief, which the *Metropolitan* and his *Assessors*, expressed themselves ready to give unto whatsoever they said: *Lucy* and the rest of them, grew thereupon the more Audacious, both in the Forging of Crimes against him, and in Procuring of Witnesses by Promises and Menaces, to Swear unto them. For as nothing is more certain, than that as
Senec. Oed.
aditum nocendi perfido præstat fides, the giving Credit to any Treacherous, Revengeful, or Perjurious Rascal, doth embolden him first to Invent, and then to Depose with the greater Impudence. So it will always obtain and be found true, That if they who pretend to be vested with a Judicial Power, shall behave themselves in this Partial Manner, that thereupon, such called to Inform and Depose against those Arraigned at their Tribunals,

will

will take the Liberty of Swearing, without the least Regard to Truth or Justice; as being assured, that in such a Case, *minore metu, et majore premio peccatur*, They shall not only be out of all Danger of being Punish'd, but in a probable and fair way of being Rewarded.

Tacit. Hist.
Lib. I.

So that having dispatched all that the Brevity of the present Discourse will allow me to Observe, and Represent in General, with Relation to the *Proceedings* against the *Bishop* of *St. David's*, and may I hope, presume now to affirm, That all who are Unbias'd, must thereby come to be possess'd with other Sentiments of that whole Transaction and *Process*, than those, which some out of Ignorance, and others through Prejudice, have entertain'd: I shall in the next place, apply my self to the Discharge of the *Second* Part of that *Province*, which I have undertaken to perform. And that is, to call a certain *Writer* to an Account, by *Reviewing* what he said in a Scurrilous and Virulent Pamphlet, Stiled, *The Summary View of the Articles Exhibited against the said Bishop*. And though I have already put it beyond Contradiction, That the *Author* thereof, who-soever he be, hath obtruded upon the World, a very Unfaithful (because a Partial) Relation, of that whole Proceedure, yet I shall endeavour in the few Sheets which are still to follow, to shew further, how unlike a Gentleman, a Schollar, and much more in a way unbecoming a Man of Probity, and especially a Christian, he hath behaved and acquitted himself in that Matter. But it will give the less Amusement, to find the *Publisher* of those *Proceedings*, to have so signally and wilfully forgot the *Rule* (which I formerly mention'd) prescribed to all such Writers, *ne quid Falsi dicant; et ne quid Veri non dicant*; That they shall say nothing that is False, nor omit the saying every thing that is True: Seeing his *Grace* of *Canterbury*, (whole Mercenary Tool, this Drawer and Divulger of *Views* appears to be) and diverse of those who were *Assessors* unto him in the hearing of that Cause, have no less egregiously forgotten the *Rule* prescribed unto them, *ne iisdem de causis, alii Plectantur, alii ne appellentur quidem*; That some shall not be Punish'd on the Score of Offences, for which others are not so much as Accused; or if they be, come to be Acquitted, which is worse. Who-soever will but vouchsafe to look into the Discourse of which I am to take a *Review*, cannot avoid observing, how this *Author*, instead of acting the Part of a *True Historian*, in the Recording

Cicer. 2.
de Offic.

ing and Communicating the *Memoires* of that Cause and Process impartially, hath in the whole of his Discourse manifestly declared himself a Suborned Partizan, and a Brib'd Advocate against, as well as an avowed Enemy of that *Bishops*. But that I may both the better let myself into what is to be *Contrasted* between that *Author* and me, and may render the *Readers* the more prepar'd to *Arbitrate* between us, I shall take the Liberty to *Premise* two things, which shall as well yield general Instruction, as administer Light to the whole that remains to be said on this Subject. Whereof the first, is that no man is therefore to be prejudg'd as *Covetous*, and much less an *Extortioner* or *Oppressor*, because of his being known to be *Frugal* and a good *Conomist*. Nor are any the further removed from being *Generous*, as well as *Liberal*, by the being careful in demanding and *Exacting* what is *Legally* due unto them. On the contrary as they who do not only avoid *Vicious* and *Luxurious* Courses, but are industrious both to procure *Honestly*, and wisely to preserve, stand defended against those temptations, to willany (according to the saying of *Epinondas το τωσπευ δεισιν ε χαρει εδοναι Frugality is the great Preservative from the being wrought upon to be a Rogue or Traytor*) which *Prodigality* and *wastfulness* do expose others unto; so the being reduced thro' *Squandering*, and by reason of other *Vices* to a *Penurious* condition, disposeth men to run into all *Crimes*, from the *Perpetration* whereof they have a Prospect of being relieved, and of becoming *Gainers*. For as *inopia even privato non est toleranda, Great necessity and pinching Want, can hardly be Submitted unto by the Meanest*; so the providing against it, doth no less draw forth the vices of some, than it excites the virtue of others. Nor hath any thing that power over ill men in *Transforming* them into all *Shapes*, and causing them to say and *Swear* whatsoever one has a mind to, like the *promising* to *Succour* them under their *Poverty*. It is neither *Principles*, nor the pursuing of *Publick* good, that draw men into *Factions*, but the *Expectation* of making their *Falling* into a *Party* advantageous unto themselves. And indeed the *Prosperous* and *opulent* condition, to which the *Bishop* had attain'd by his *Industry* and *Frugality*, without having had recourse to any *Sinistrous* or *unlawful* ways and means, have very much secured him against the prevalence of those *Temptations*, to which too many of the *Sacred Order*,

Plutarch
in *Lycurg.*

Tacit.
Hist. Lib.
1.

have been both Obnoxious, and overcome by them. Nor hath any either of the *Sacerdotal*, or of the *Episcopal* Functions, given more signal proofs of Liberality and Generosity, than he hath, when there were occasions offer'd for the exercise and exertion of them. And were I not acquainted with the reasons of it, which it is not needful to name, I should be surprized that while some *Ecclesiastics* have acquired the Reputation of being *Charitable*, from their having been entrusted with, and employ'd in the *Distribution* of the *Charity* of others, this *Prelate* who has disposed so much of his own, should undergo the Censure of being Oppressive, as well as Covetous. And tho he hath hitherto been willing to have his Charity and Generosity concealed, in Obedience to the directions of our Lord

Matt. 6. *Jesus Christ*, who not only enjoyneth that they *Who give Alms*,
2. 3. *shall not Sound a Trumpet before them, when they bestow it; but that their Left hand, shall not know, what their Right doth, i. e.* They shall neither boast of, nor hope to Merit by it: Yet it is now become necessary, as well for the Honour of Religion, as for the Vindicating of his Lordship from Calumnies, that some of his Charities and Beneficences, which otherwise would have remain'd Secret, should be publish'd. In the giving an account whereof, as all his private Bounties, (which have been many, and some of them very remarkable) shall be still concealed; so those which I am to mention shall be such, as may serve to provoke those of the Spiritual Order, to Exchange their Enmity against him, into Emulation. And it being the duty of every Christian, and much more of Clergy-men to extend and exert their Liberalities in the first place, and that Seasonably, to their indigent Kindred and Relations; it will not be amiss to assign some Instances of his Bounty (as their Circumstances called for it) to his, without procrastinating them to Legacies at his Death, as most men use to do. And besides what he both disbursed in the Education of several of them, and doth daily allow towards the Maintaining some of them, he not only gave to a certain Relation (whom he would not have nam'd) the *Summ* of 600 *l.* but he also gave the *like Summ* to his two *Neices* Mr. *Medley's Sisters*, (beyond what *Medley* undertook to reimburse him) and likewise 100 *l.* to one Brother of his own, and 600 to another. But whereas his Liberality to those, may not in some peoples opinion, entitle him to the stile and Character of a Charitable person, in that *Cuique propinquos suos natura carissimos esse*

Tacit. Vit.
Agrio.

*esse voluit, Nature inspireth men with a tenderness for, and instructeth them to be Beneficent to Kindred and Relations; I shall therefore subjoyn diverse other Instances of his Bounty and Liberality. Nor ought I to leave out of that number (tho with Respect to some degree and measure, they fall within the Circle of Duty) his having laid out above 500 l. in Building and Planting at his Parsonage-House and Church in Cambridgeshire, and the having also Expended above 600 l. in Repairing the decay'd Palace at Abergilly, and the House at Brecknock; especially considering, that not only too many Ecclesiasticks, but even his own late Predecessors in the Bishoprick of St. David's, and also some Bishops in other Diocesses, will be found liable to be accused of and charged with the Offence of Dilapidation. But that I may not be thought to call those Disbursements Acts of Charity, which Laws may be said in any sense, or to any Proportion to have required; I shall add a List of some Facts, and that without Expatiating upon them, which are capable of being no otherwise accounted of, than as Exercises of Mercy and Generosity. viz. 50 l. to the Building of St. Paul's: 20 l. to the Building Trinity Colledge Library; 10 l. to the Repairing of Catharine-Hall; 10 l. to the Repairing of Langwiddock Church; 600 l. to St. John's Colledge in two perpetual Advowsons; 50 l. to the Printing Press at Cambridge; 50 l. to two Schollers there; 60 l. to two Widows; 50 l. to the Building St. Mary's in Hull; 50 l. to the Erecting of a Work-house there; 400 l. to Trinity House at Hull, and that only in order to further Charity. To which should I add his Private and Secret Bounties to Indigent Schollars, and to necessitous Gentlemen (which in the whole would amount to more than the Largest of all the particular Summs which I have mention'd); I shou'd be thought to do it not so much in order to the Vindicating him from the Imputation of Covetousness, for which he hath been defamed, as with a design both of upbraiding most of his Brethren, who can no ways pretend to equal him in acts of Beneficence, and of detracting from, and lessening the Esteem which some few Bishops have obtained, tho not so much because of any extraordinary Liberalities, as by reason of some little mean arts of Grimace, and wheedle towards the Mob. For to use an expression of Pliny's, *Tantas vires habet Frugalitas, ut tot impendiis, tot Erogaionibus, vel sola sufficiat, quosceviser is Frugal, can by and in the Vertue and Power of**

that alone, become both stored for ample disbursements, and enabled to the exercise of great Liberties, However I doubt not, but that from the many foregoing Instances of the Bishop of St. David's Charity and Bounty, it may very reasonably be inferred, and as justly concluded, that he cannot be such a Lover of Money, as the Writer of the *Summary View* hath endeavoured to represent him, and that all his Economy and Frugality, are only Restrictions of superfluous Expences upon himself, that he may be the more Liberal and Generous towards others, wherein it is to be wished that those of his own Order would imitate him, instead of Traducing him for it. And that in the place of encouraging, as well as giving way to the having that *Prelate* aspersed, for the being either oppressive, or Scandalously Parcimonious, they would study to Furnish the World with as many Examples of their being themselves signally Charitable, as have been given by him of his Mercy and Liberality. And were it not out of a respect to our Religion, and from that Deference which I pay to the Order of *Episcopacy* Establish'd in the English Church, I should think it no difficult undertaking to make severe Reprizals upon some of our present Bishops for the Piracies, which by vertue of Letters of Mart Emitted from them, have been committed upon the Reputation of the Bishop of St. David's. And if a stop be not given to the *Banditi Trade*, which hath been so much exercised of late upon the Credits of the most Vertuous and Innocent of all Ranks and Degrees in the Kingdom, I know not how far I may be Provok'd both to Retaliations at large, in giving those accounts of the Oppression and Rapine of diverse of them of the Laical Tribes of men, as will not be either for their Honour, or for the Commendation of the Wisdom of the Government, to have publish'd; and also to the making such Recaptures in particular on those of the Prelatical Order, by divulging such *Memoirs* both of their Luxurious Indulgences towards themselves, and of those several not very justifiable Methods pursued by them, for the raising Estates and Fortunes for their Children, as will be more disgraceful to Christianity, as well as more Reproachful to their High and Sacred Function, than any, or all of those pretended Scandalous things are, for the Calumniating and defaming the Bishop of St. David's with, their have been so much Industry and Art as well as Malice expressed.

But

But to proceed to the *Second* thing which I undertook to *Premise*, namely that it is a Rule Establish'd in the *Civil Law* that *Bona fama in genere, debet Superare Malam in genere*, whensoever the good Report which obtaineth of any Person, beareth proportion to the Ill that is said of him; and whom with Respect to his Moral Behaviour in any one particular, there be as many and they of equal Quality and Reputation, who speak of him to Commendation and Advantage, as they are, who take upon them the divulging Matters to his Reproach and Prejudice; that in such a Case, the Opinion of the Former, is to be Received and Acquiesced in, rather then that of the Latter. For by how much the Reputation of Men, is not only of the greatest consequence Imaginable, towards their preserving that Estimation in the World, which from their Quality and Station, they have a Right to Claim; but hath withall so great an Influence, upon their being useful to the Community and Publick, either in Church or State, it is therefore the duty of all who would be esteemed Good and Wise, to give more Credit unto what is said Honourable of them, than unto what is spoken concerning them in way of Detraction and Defamation. For how true soever that of *Pliny* may be, *Tales nos crede, qualis Fama cujusque est*, *Panegy.* we are allow'd justly to suspect every Man to be such, as all men report that he is; yet we are still to be careful, that we Enter-tain not an Ill opinion of any upon the Testimony of a few; especially when either the first Authors, or the Industrious Spreaders of the Ignominies and Reproaches, are such as are, or may known to be Enemies. For the Heathen Historian hath observed, and all the reasonable part of Mankind have fallen into his opinion, that *Quis Innocens esse potest, si accusasse sufficiet*, *Amman. Marcell. Lib. 18.* Few or none will have the Happiness to be thought Innocent, if the being Accused by this or that Person, be admitted as sufficient to prove them Guilty. And there is the more reason, for not being too Credulous in reference to Scandalous Reports, of things invented by Enemies, which having obtained Credit at first among a few that were weak, and of easie belief, come afterwards to spread further and to be Generally received; because it is so natural to most Men, (by reason of their own Viciousness, and the Inclinations they have of being wicked themselves, as far as they have Prospects of finding their Interest in it) to be much readier in the giving Credit unto the Ill that is spoken of their Neighbour,

bour, than in believing the good that is said of him. Which
 depravation of mind, I do take to be both the Cause, why
 too many *Quoquomodo audita pro compertis habent*, entertain
 every thing for True, that can to be told them; and that *Quan-*
 Lib. 3. id. to *magis falsa, tanto Plura faciant*, they do the more firmly Be-
 Hist. Lib. lieve them by How much they are the Falser. Nor will any
 1. man that is wise appear too much concern'd, at his being
 Slander'd and Reproached, if he do but allow himself to confi-
 der, that the being so, is to put it in the Power of every Knave
 and Fool to disturb his Peace and tranquillity. For as it
 is enough on the one hand, to deserve praise, tho he doth
 not obtain it; so the best security against the being inwardly
 perplexed because of Calumnies forg'd and Spread of him,
 is to have the Testimony of his own Conscience, that he hath
 done nothing Villanous and unjust, whereby to have given
 occasion for them. For as he said, *vis nunquam tristis esse,*
 Niodor. So- *bene vive*, whosoever would avoid the being disturbed by reason of
 illoq. Lib. 2. *theſe obsequies of others, he is only to take care to live uprightly and*
well. Nor will that of Seneca be found otherwise, than
 unchangeably true, *Quamvis id agas, ut ne quis me-*
rito te oderit, erunt tamen semper qui oderint, Let one do whatſoe-
 ver he can, that he may neither administer Cause for the having
 De Pro- Enemies, nor for the being hated, yet he cannot escape the meet-
 vid. ing with some that will prove the first, and that will do the last.
 And therefore to appear further sensible of Defamations, than
 what is needful towards the Vindicating of one from them;
 is both to give his Adversaries the pleasure of seeing him tor-
 ment himself, and to excite the exercise of their Hatred and
 Malice, in the Calumniating him the more. Nor can I omit
 saying, that the aversion which I have observed in the Bishop
 of St. David's, of entertaining Suspensions and ill opinions of
 others, without very great reason for it, is to me an Argu-
 ment, that he is not capable of committing very ill things
 himself. However seeing that the preserving in the World
 the Character of a just and an Honest man, (and the retain-
 ing of our Credit *Integra*, as far *unstained and entire* as can
 well be; without the being so much as *Diminuta*, lessen'd or
diminish'd; and much less *consumpta*, wholly blasted and destroyed
 as *Civilians* express themselves, when they write *de Fama et*
Existimatione) is of such consequence to every one, that with-
 out it he can neither be Loved nor Trusted; and by Conse-
 sequence,

quence, must much more lose all Veneration and Esteem : I shall therefore give a brief account of the good *Opinion* deliver'd of the *Bishop* upon Oath by Persons of far greater Credit than any of those were, who Calumniated and Defam'd him. And as the Declarations made by so many worthy People of his Innocency, in reference to all the Crimes whereof he was Accused, would (according to the *Maxim* of the *Civil Law* that I have mention'd) at any Impartial Tribunal, have been more regarded, than the Depositions of those would have been, who Swore to the Articles against him ; so I cannot forbear observing the great Industry, and Zeal exerted for supporting the Informations of the *Latter* ; while all the Testimonials of the *former* were slighted and Contemned. Which to me (and I suppose it will be so to many others) is an uncontrollable Evidence, that the *Juridical Proceedings* Gaius's Lib. 56. against the *Bishop* were neither so Impartial, nor Just, as it might have been Expected they would have been. Seeing that not only as *Civilians* say, *In Dubiis, benignora semper sunt* Ulpian Lib. 10. *preferenda*, in things which are uncertain (as those must needs be where Testimonies do Interfer) we are always to Judge on the mildest side ; *Et in Ambiguis, humaniorem sententiam sequi oportet*, and that in matters which are doubtful, we ought to be of the Opinion, which inclines most to Gentleness and Mercy ; and that when the Testimonies in Favour of the accused, do bear any proportion to those against him, in such a Case, *Leges, sup. pian. ubi* *que semper inclinant ad misericordiam, Reum semper absolvi volunt*, The Laws which do always Incline to Mercifulness, do require that the Accused be acquitted ; but as the *Civil Law* doth further and also say, that *Causa non bona, patrocinio pejor est*, The more a Cause is Labour'd, the greater Suspicion is given of its not being Good, and that it becomes the worse by the Pains taken to Sustain it. But that I may neither prevent my self, in what is to be said hereafter, nor be forced to repeat the same things twice, I shall therefore at present only call over some of the many Depositions made upon Oath, in Vindication of his Piety, Vertue and Justice in general ; which is Equivalent to the Justifying of him from all the Offences with which he hath been aspersed. Seeing to be a Man of that Religion, Probity and Righteousness, which so many Credible persons have Swore they believe him to be ; and yet to be capable of perpetrating the Crimes Articulated against him, do stand

in that opposition and Irreconcilableness, that they cannot meet in the same Subject at one time. Yea the Hatred and Abhorrency of Simony, (which is the great pretended Criminal Offence wherewith he was Charged) that so many upon their own Knowledge and Experience, do Testify his having both expressed in words and verified in Practice, is in it self, and ought to have been more accounted of for his Vindication at any Impartial Tribunal; than all the Informations, for fastening that Penal Transgression upon him, should have been esteem'd or held towards his Conviction. The Substance of that which, I am now to recount in his Favour, amounteth in short to this, as it was exprelly given in upon Oath, by diverse Gentlemen, and by several Ministers of the Gospel, who are all of them Persons of unquestionable Reputation.

Hen. Powel Rector of *Lansanfread* in the County of *Brecknock*, the Bishop 42. Witn. *Wm. Williams* of *Brecknock* Gent. 43. Witn. *Ch Price* Precentor of the Cathedral of *St. David's*. 44. Witn. *Fran. Tomson* D. D. Rector of *St. Mary Fryday-street* Lond. *Geo. Lewis* of *Gavon* in the County of *Cardigan* Esq. 51. Witn. *Walter Loyd* of *Longillo* ibid. Esq. 25. Witn. *Henry Poole* of the County of *Pembrock* Clerk Sc. 26. Witn. *Walter Watkins* Vicar of *Begnillo* in the County of *Radnor*, 27. Witn. *Ed. Gwyn* Vicar of *Brecknock*; 31. Witn. *Tho. Griffith* of *Clorow* in the County of *Radnor* Gent. 32. Witn. *Tho. Philips* Rector of *Aberdow* in the same County; 35. Witn. *Hoellus Griffith* Vicar of *Lanavan* ditto; 40. Witn. *Tho. Williams* Vicar of *St. Hermans*, in the County of *Radnor*, 41. Witn. *Hen. Powel* Vicar of *Langadock* in the County of *Carmarthen*, 15. Witn. *Soloman Henden* Vicar of *Lawbaden* &c. 10. Witn. *Eliz. Hide*, 23. Witn.

Namely that having known and been Familiarly and Intimately acquainted with the Bishop of St. David's, some of them for more, and some of them, for fewer years, and deverse of them having been not only often Conversant in his Family, but careful Observers of his Behaviour and Conduct as he was a Bishop, had always found and accordingly deliver'd their Belief of his Lordship to be, that he was and is a Person of a Sober and strict Life and Conversation, and very Regular in his Family, and a very Constant Observer of the Rules and Discipline Church of England; And that they had heard him often Declare his abhorrence of Simony, and also deliver it as his Opinion, that the being Guilty of it, was Damnable. And that as he would never give any Preferments to such, by or for whom he should be applied unto, and Solicited upon promises of Reward, so that he had severely Rebuk'd Mrs. Eliz. Hide, for interceeding with him to bestow the Church of St. David's to one Lloyd, and the Treasurership of Christ's Colledge Breck-

noack, to one William's, who had promised her several Hundred Pounds, in Case she could procure them; and had also Positively Charged her never to interpose or meddle in such matters, in that he
Hated

Hated all such Practices; and would never Collate any to places upon Applications of that kind. And that he broke of a Match between Mr. Henry Powel and his Neece Mrs. Eliz. Medley, in that it was propos'd as a condition of the said Match that the Bishop should Collate Powel to a Certain Benefice in his Lordships Gift, that was then Vacant. And that the said Prelate, hath been so far from Exactting Excessive and Exorbitant Fees, either for Orders or Institutions &c. That he hath sometimes freely remitted what he had a Right to demand. Now as the Testimony of so many Persons, of diverse qualities and conditions, in Vindication of the Innocency of the Bishop of St. David's, should have been more effectual towards his Justification, than all the Depositions against him ought to have been for his Conviction; so the least effect it can have upon those who are desirous to have men and things represented unto them in the best and truest Light, must be the possessing them both with an odd opinion of the whole Process against him, and the begetting a more favourable Opinion of that Prelate, than what either the Sentence pronounced, by the great Metropolitan, or the Discourse called the Summary View, have given us of him. The only Exception against the preceding Testimonies is, that in relation to some things, the Witnesses do only declare that they believe so and so, which instead of diminishing either from the Truth, or from the weight of what they say, doth in my opinion add much unto both. For as there were many things whereof no man can positively, pronounce that they are True, or that they are False, but that in his opinion they are the one, and not the other; so it is worthy of Observation, that among the Romans no man ever depos'd otherwise save by the Term Arbitror I do believe. And the more we inquire into the probity of those Witnesses, who inform'd in the Bishop's favour and behalf; and compare them with the Scandalous and infamous Crew brought to Swear against him, the more we shall find our selves in justice obliged to entertain a better and more honourable opinion of his Lordship, than his Adversaries, will either be pleased, or find it for the credit of their Juridical proceedings, that we should. And though I have all the Venerable Thoughts of every Bishop of the Church of England, which the high station, to which he is advanc'd, requireth me to have; yet I much question, were some of them attack'd in the manner the

*Cicer. Orat.
pro M. Font.
& Lib. 2.
Academ.*

Bishop of St. David's hath been, whether they would find so many, and such creditable and considerable *vouchers*, either for their Virtue and Piety or for their being exact observers of the Rules and Discipline of the English Church, as did appear in giving Commendation, as well as for justifying of that *Prelate*.

But having both represented and dispatched the two things, which I craved liberty to *Premise*; I am now to apply myself to a closer and a more particular Examination of the Offences and Crimes, with which the *Bishop of St. David's* is so virulently aspersed, and whereof he is so Unjustly Accused by that *Author* of no consideration (unless for Insolence and Impudence) in his Discourse, Stiled the *Summary View*, &c. And tho' after what hath been already said, in reference to the Commencement, and the Management of the *Process* against that *Bishop*, what were the *Motives* for Beginning it; upon whose *Promotion* he was *Articulated* against it; what strange *Irregularities*, as well as gross *Partiality* were shew'd and practis'd, in and thro' their whole *Procedur*; and what kind of *Persons* they were, upon whose *Depositions* the Decretal Judgment pass'd; I say that tho' every thing further, which shall be offer'd after this, may seem altogether Superfluous, as well as Unnecessary; yet I hope the Discreet Reader shall not have cause to blame me for this Labour and Work of *Supererogation*. In that albeit, it may not be needful to the setting him *Right* in his *Opinion* concerning the foremention'd *Process*; yet it may be of some Service and Use to the Rebuking, not only of an *Author*, who is no less Trifling and Impertinent, than Malicious and Revengeful; but likewise to the Discovering the Mischiefs which ensue upon, and do accompany the being Embarqu'd in Parties and Factions, that are frequently no less, than the very Sacrificing of Laws and Justice to Pique and Anger, as well as of Charity to Resentment. And the *First* thing for which I intend to call him him to an Account, is, that after having charg'd the *Bishop* for the *Having said at his first going down to St. David's, that*

Summary View. P. 1.

it was a poor Bishoprick, but that he was resolved to get Money one way or other; he adds, that it was a Rule which the Tutor had long pursued, and that the Bishop so resolutely adhered to it, that its pernicious Effects appeared in every part of his Episcopal Administration. In which no less Foolish than Partial and Invective

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Reflection, we have not only a Calumnious Aspersion fastned upon a Bishop on the Testimony of *One Witness*, which is directly contrary to the *Divine Rule* declared by *St. Paul*, that an *Accusation shall not be received against an Elder, save before two or three Witnesses*; but that *Witness* also of such a mean Station and Rank, being only a *Vicar-Choral*, that it is no ways probable the *Bishop* would make him of all men, either his Confessor, or his Confident. And as the *Bishops* stay and abode at *St. David's* at his first going down, did not exceed the space of *Four* days, *Two* whereof were spent in his *Confirming* vast multitudes, occasion'd by other *Bishops* having omitted to administer that Ordinance since the *Restoration*, whereby his allowing himself a loose in such kind of Talk, as that charg'd upon him, is rendred altogether unlikely; so the whole time he could spare from the Exercise of his duty, having been either employ'd in the receiving Crowds of *Visitors*, or particularly taken up in *Conversing* with, and spent in the Company of *Four* of the *Canons* of that Cathedral, it would seem morally impossible, but that some either of them, or of those many who came to see and salute him, should have rather heard the foremention'd words, than one of *Peter Lewis's* inconsiderable quality and Figure. And as it seems to approach to a moral certainty, that these words were never spoken by the *Bishop*, but meerly forged by *Lewis* in order to the recommending him by an *Invented Lie* to some peoples favour, whose kindness he foresaw would be needful to the supporting him in a certain Villainous design which he had projected (whereof we shall have occasion to make mention hereafter) and which it is likely *Lucy the Promoter* had given him assurance of, provided he would make the foregoing Deposition; so it is as demonstrable as a matter of *Fact* is capable of being, that the *Author* of the *Summary View*, hath reported *Lewis's* Deposition fraudulently and imperfectly. In that what he swears unto, is that the *Bishop* should have said, that the *Bishoprick* of *St. David's* was a poor *Bishoprick*, and that *See Lewis* he would not be *Bishop* to Ruine himself, but was resolved to get *Deposit*. Money one way or another. Now as he who in Reporting a *Te-41. Witr.* stimony in a criminal process detracteth from it, by omitting any material part of what was Deposited, especially that which would have been as a Key to the opening the meaning of the whole, is no less Treacherous than if he should have added

unto it; so it is plain that in case the *Bishop* should have said what *Lewis* Swears (which he never did) yet that with the including the Words (omitted by the *Writer* of the *Summary View*) he would not be *Bishop* in ruine himself, the whole *Expression* is capable of a very fair and justifiable *Construction* and *Interpretation*. Namely that he neither did, nor could intend any thing else by it, than that because his *Episcopal Revenue* could not be great, by reason of the *Poverty* of the *Bishoprick*, he was therefore resolved in order to the preventing his being *Ruin'd* by it, to get Money in the way and by the means of *Living Frugally* and of observing a good *Oeconomy*. Nor is it possible to have a more convincing proof of his having no design of becoming Rich by that *Bishoprick*, and especially by illegal and oppressive method's, than that antecedently to the reception of any of the *Emoluments* and profits which were to arise unto him from and in the *Virtue* of his *Title* and *Dignity*, he had entred upon large *Disbursements* in *Rebuilding* of the *Decay'd Palace* of *Aberguilly*. To which may be added, that no *Belief* ought to have been given to any thing, that *Lewis* either said or Swore; Forasmuch that it was fully proved against him, that he had perjur'd himself in an other particular, which he took upon him to Depose. But which I shall decline enlarging upon at present, being to unfold and to speak of it in a more seasonable place anon. However I ought not to omit observing, that whensoever men are resolved to pursue little and mean Interests, they do rather endeavour to cover themselves from being suspected of it, by publishing their purposes of Living virtuously, charitably and generously; than to preinform and forewarn People; by Publishing, and openly Avowing their Vicious and Covetous Inclinations; Nor is the custom of most Men in reference to *Morals*, different from what is commonly practis'd in *Politics*, which is to hunt Counter, in order to come the more easily at their Game, which made *Tacitus* say, *Ut Imperium evertant, Libertatem praeferunt*, That when People are designing to Overthrow the Government, their pretence and cry is, that they are only to assert and to secure their Rights and Liberties; tho' as he adds, when they have compass'd the First, they venture upon the Second, *Si everterint ipsam aggredimur*. For as the *French Author* of the *Maxims Moral* doth well observe, it is the greatest homage which *Hypocrisy* payeth unto *Piety*, that it assumeth

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and Glorieth in wearing the Garb and Vizard of it, without having the Truth and Reality, so nothing is more Universally experienc'd, than that when Men are about to carry on, and advance their Secular Interest and Profit, at the expence of Mercy and Justice; instead of proclaiming before hand what they design, they use to give themselves out for the most Disinterested and Liberal Persons in the World, and do take all occasions of declaiming against the being narrow Spirited, Selfish and Covetous. So that the very *Vulgar* do take those for Dissemblers, who do Talk most of Vertue and Religion in common Convesation, when there is no Call unto, nor need of it. And could the *Bishop* of *St. David's* have been capable of so much sottishness as well as weakness, as to be guilty of having spoken the words charged upon him by *Lewis*, yet I think he was even in that far less criminal, than what a certain Eminent *Prelate*, who was an *Assessor* to the *Metropolitan* in the proceedings against *Bishop Watson*, is accused in Print, as well as Reflected for upon in common Discourse. Namely that having in a *Circular Letter*, written by him when a *Priest* to all the *Bishops* of *Scotland*, upbraided them with, and charged it upon them both as a great sin, and a scandalous offence, that they converted the Money of their Ecclesiastical Revenues to their own uses; which he doth likewise elsewhere brand and condemn in all *Bishops* whatsoever; that nevertheless the same person hath in his whole course and practice since he came to be a *Bishop*, been not only as remarkably rigid and severe (as any ever were) in the exaction of *Fines*, as well as in the Taking and Receiving whatsoever the Law makes demandable by, and accruable unto him from his *Bishoprick*; but as careful also in the application of the whole of it to his own, and not to the Churches use. Which admitting his former Judgment either for a general Rule, or meerly for a Measure in reference to his own Personal Conduct, and allowing him to have Written before with sincerity (which if he did not; he stands liable to a more severe and worse censure, than I am willing to fasten upon him) must needs render him obnoxious to a far more and criminal Character, than that which the words, sworn by *Lewis* against the *Bishop* of *St. David's*, (had they been true, as they were not) and even taken in the worst sense that malice can put upon them, (whereas they naturally admit a very good one) can justify the fixing of upon his Lordship. Now I have been

Discourses
Occasion'd
by Funeral
Serm. p. 4.
Hist. of
the Rights
of Princes,
&c. p. 8.

the Longer in my Animadversions on the *Author of the Summary View*, &c. for this *First* as well as *general Aspersions* of his upon the *Bishop* in that I had a mind to give the Reader a Taste of his partiality and fraudulency, as well as of his hatred and invectiveness in what he Writes; and withall to shew how easily that Scribler might be both Baffled and triumphed over. Which if I shall avoid the taking the pleasure of doing, in all those things, that I am to call him to an account for, it is only because I would not carry this Discourse to an excessive length, by being too prolix upon every little and impertinent thing.

As I should by most People be thought guilty of, did I allow my self to enlarge in the *Reflections* which might be made upon that *Writer*, in reference to the particulars which come now to be Examined, which as he calls his *First Head of Accusations against the Bishop*, and distributeth into *Nine several distinct Articles*; so most of them are concerning such Pittiful and minute things, that it were to mis-spend time, as well as thought to vouchsafe a Reply unto them. And the charging them upon that *Prelate*, doth only shew with what Malice he was Pursu'd, seeing had they been True, he could not have thereby been render'd Obnoxious to any Ecclesiastical Censure. Nor did the *Metropolitan*, and they who were *Assessors* unto him in the *Judicial Procedure* against the *Bishop*, act as became Persons that were either *Wise* or *Just*, by suffering in a *Criminal Process*, Inquisition to be made after things, and allowing them to be brought into Proof, which had they been Legally made out, could have only serv'd to *Blacken* and *Smut*, but could no wise have *Justify'd* any *Penal Sentence*. However some answer shall be made to every one of them, and such, if I do not greatly mistake, as shall not only *Vindicate* the *Bishop* of *St. David's*, but *fasten Guilt* upon his *Adversaries*. For I would not be contented with wresting their Swords out of their hands, without Wounding them with their own Weapons. And the *First* thing, under the *Head*, said to contain *Offences of many kinds*, whereof the *Bishop* is *Accused*, is, That he should take *Offerings* given at *Ordinations* into his own hands, saying he would lay them out in *Plate* for his *Chappel*, which could it *Justify* the matter, yet doth not appear by any *Proof* to have been done. Whereunto several Replies may be easily made. As^t (1.) that in this he did no more than what he Lawfully might, and what

what is commonly practis'd by other *Bishops*. For being Graciously Gifts made as it were at the Altar, upon what should they be Expended more properly, than the Ornament and Service of it? And it doth more shew this *Writer's* Malice, than either his Wit, or his Honesty, that what is *Blameless* in other *Bishops*, is made *Criminal* in the *Bishop* of *St. David's*. But such is the power of Factious Principles over Men, that what in one of their own Party shall be held an *Act of Piety*, and accounted to deserve a *Panegyrick*; shall in another that differeth from them in their Political Notions, be esteem'd a *Penal Transgression*, and be *Satyricaly* declaimed against. Whereas no Infamy can fall upon them who stand mis-represented for such things, but instead thereof, the reproach of being Knave as well as Fool, becomes justly ascribed to those who asperse them. Nor in the second place, would the *Bishop* of *St. David's* have been so weak, as to keep such a punctual Account of all he Received of that kind, as he hath done, had he not intended to have applied it either to some Sacred, or to some Charitable use. And as some part of it was always immediately Given unto, and Distributed among the *Poor*; so it can give no surprise, that what remain'd was not soon disbursed in *Plate* for the Chapel. For the whole Summ of that amounting to no more than 6*l.* 3*s.* was too little for the Buying of any thing that would have been either Considerable in it self, or have born Proportion towards the Beneficence towards God's House, which the *Bishop* had resolved to have given other *Prelates* a Pattern of. To which may be added in the Third place, that the *Bishop* did really and actually Expend and Disburse upon his Chappel a Summ, that exceeded above Ten times all that had been received at the *Offeratory*. And the reason of its not being laid out in *Plate*, was because other things more necessary, being wanting, they were to be taken care of previously to that. Nor needed his Lordship a better Warrant for Justifying him therein, than that he had found it to have been always the method towards the Temple at *Jerusalem*; First to Repair it, and then to Add to the Ornament and *Utensils* of it. And there is too much ground for Suspicion, that among the several things which raised the Indignation of some other *Prelates* against him, this likewise had its Influence and Operation, that he Expended more upon his *Palace*, his *Cathedral*, and his
Chapel,

Chapel, than not only some of his *Comprovincials*, but even his *Present*, as well his former *Metropolitans*, have appeared any ways inclinable to lay out upon *Theirs*.

But to proceed in our Attendance on the *Author* of the *Summary View*, who in the next place Accused the *Bishop* of Robbing and Defrauding his *Servants*, in making them Account to him, for what was justly their own Money, viz. That he made them answer to him for the *Gratuities*, which they received at any time from Persons that were Ordain'd: and that one Robert Douglass particularly, having Four Shillings arising to him as his Share out of the Money given at one Ordination, the *Bishop* deducted it out of his Wages. In Answer whereunto there are several things which may be said. Whereof the (1) is, that admitting what is alledged to be True; yet there is neither *Moral* Iniquity, nor any Offence against *Statute*, *Common*, or *Canon* Law in it, for which a *Bishop* stands liable to be either Accused or censur'd. For tho' the having done it may argue some want of Generosity, yet it includeth nothing in it of Injustice; in that it was no part of the Contract made with his *Servants* when he hired them, that they should receive these *Gratuities*. Nor will it follow, that the *Bishop* is one who is *Covetous*, and much less that he is a Person Guilty of *Simony*, because he would confine them that Serv'd him to the Wages which he had promis'd to Pay, and for which (preclusively of other Profits) they had Covenanted and Undertaken to do it. And as the suffering an Inquisition to be made after things of that kind, doth too evidently discover the Injustice of those before whom he was Articulated against, as well as the offering to mention them, sheweth the Malice of his Accusers; so the former of these, as well as the *Latter*, may come in time to experience of what pernicious consequence it may prove to themselves, thro' encouraging and justifying those Inquiries into matters, and by Authorising the publishing of them, as would not otherwise have been attempted. But in the (2) place I would further Reply, that if the *Bishop* of *St. David's* taking these *Gratuities* from his *Servants*, would teach and instruct other *Bishops* to suffer and admit none of theirs to receive any, it would be the producing a piece of Reformation which is much needed, and the want whereof is very reproachful to all the *Bishops* of *England*. For as if the paying the *Institution* and *Induction* Fees &c. which the Laws have appointed, were

were not sufficiently burdensom, without the Addition of paying *Benevolencies*, things are now come to that height of Irregularity, that *Bishops Servants* do as duly expect, yea and do as boldly demand these *Gratuities*, as their *Masters* do the *Fees* for *Institutions* and *Procurations*. And as the commonness to which this practice of *Bishops Servants* is scandalously arisen, doth render it absolutely and indispensably necessary to have it forbidden and altogether restrain'd; so the provision made by the 135 Canon, that no Bishop shall directly or indirectly take any Fee or Reward for himself for admitting any into Orders; would seem to intimate that it were but to act consequentially and conformably thereunto, not to permit their *Servants* to receive any *Gifts* at those times and upon those occasions. For as the reason of their being prohibited themselves from taking Money for *Ordinations*, is because of the approach it be would to the Sin and Crime of *Simony*; so the allowing their *Servants* to receive any Rewards (under whatsoever Name or Stile they go) at those Seasons, if it have not some resemblance to *Simony*, yet it is directly the suffering that in their *Servants*, which the prophet *Elisha* would not admit in his, and which was so remarkably punish'd in *Gehazi*, by the infliction of the loathsome Disease of *Leprosie* upon him and his seed for ever. Whereunto in way of further Reply may be added 3dly, that the Bishop of St. David's taking these *Gratuities* from his *Servants*, is an argument of his allowing them sufficient wages for and in recompence of their Services, without the reducing and stinting them to narrow Salaries, upon hopes and prospects Given them of perquisites and profits of that kind. And as they who contract to serve a Master, upon the assurance of a Salary proportionable both to their Station, and to their Employment, without the proposal of any further Benefit accruable unto them, have a Right and Claim to no more, than what they Covenanted and Bargain'd for; so every Master who pays them that, but thinks it not fit to allow them Gains which were not in their Contracts (as I hinted before) he cannot be said to be unjust unto, and much less oppressive of them. And indeed the mischiefs which attend the suffering *Servants* to receive *Gratuities* are become so many and great, that it is high time to give a Remedy to that usage. For tho I would be loath to accuse any *Bishops*, of Giving less Wages to their *Servants*, (than otherwise they

^{2 Kings}
5. 20, &c.

would be forced to Grant) upon promises made them of those Advantages ; yet it is become so common for Persons in *Laick* Stations to do it, that some peoples chief Servants have scarce *Wages* at all allow'd them, but instead thereof, are permitted to Levy Money upon such whose Affairs oblige them to approach, and to Transact about Business with their Masters. Which tho' it be both a most Ignominious thing in it self, and of fatal consequence to the Publick, yet it so generally obtaineth, and is so Universally practis'd, that there is hardly any Access to be had to a great Man, especially if either a Favourite of the Sovereign, or in any considerable Office in the Administration, without Purchasing the Friendship of their very Porters, as well as of others of their Domesticks with Money. But in the *Fourth* place, I am so far from thinking it an Offence in the *Bishop* of *St. David's*, to make his *Servants* account for the *Gratuities* they receiv'd at *Ordinations*, that in my Opinion it would have carried the resemblance of being accessary to the *Sin* of *Sacrilege*, to have omitted it. And my reason is, that the Administration of a *Sacred Ordinance*, having been the occasion of, and the motive for these *Gratuities*, therefore all that was bestow'd because thereof, ought in Duty to be applied either to a Charitable, or to a Sacred use. For as to allow any thing given at such a Season, and upon such an Inducement, should be applied, and made subservient to Luxury and Rior, is the turning and perverting the *Institutions* of God, into *Ways* and means of providing for Men's *Secular Advantages*, if not for serving their *Lusts*; so it is to well known, that *Bishops* *Servants* do commonly Spend these *Gratuities* at *Tipling-Houses* and places of *Debauchery*, which if I do not mistake, doth not only carry a Similitude unto, but is worse than *Belshazzar's drinking in the Golden Vessels that were taken out of the House of God*. And consequently the *Bishop* of *St. David's* making *Douglas* account unto him for that Money, and then his throwing it into the *Large Sum*, which he hath Disbursed upon the *Palace, Cathedral* and *Chapel*, is what he ought to have been Commended for, and not Blamed, and much less Criminally Accused. And therefore Finally and in the *Fifth* place, instead of *Condemning* the *Bishop*, for what *Douglas* Accuseth him; I'm inclin'd to *Censure* him for not *Re-assuming* these *Gratuities* from all his other *Servants*, and applying them to uses Correspondent to the Seasons, Occasions, and Motives, when
and

and upon which they were given. And as the Receiving See Doug-
the single and alone Information of *Douglas* in this matter, las's Answ.
doth abundantly declare how the Command and Authority to the In-
of God in forbidding to *to admit an Accusation against an Elder* terrogat.
upon the Testimony of one Witness, can be slighted and Sacrific'd Jan. 19.
by some People, who are call'd not only Christians and Priests, 1697.
but Bishops, in order to their expressing their Spleen, and the
compassing of their Revenge; so I am heartily troubled, that
the matter (under this Head) in Proof against the *Bishop* of St.
David's, is his not having Treated all his Servants, in the
same manner he is said to have done *Douglas*, in relation to
the Money Receiv'd by them in that way. For *Douglas* himself
Deposeth, that the other Servants kept such Money for their
own use, as had been given them in way of Gratuities, with-
out being made to account to the *Bishop* for it. So that his
Lordship acting thus distinguishingly towards him, in what he
made him to account for, was not from a Principle of Co-
vetousness, but upon some other weighty Motive and Induce-
ment. And as every Master who hath Servants, is to have it
submitted to his Understanding and Judgment, which of them
in his belief and esteem do behave themselves with most In-
dustry and Fidelity in their respective Employments; so it
must be acknowledged to be not only his Right, but an act of
Prudence and Wisdom in him, to preclude the Undeserving and
Lazy from a share in the Beneficences, with and by which he is
willing to Encourage and Recompence the Assiduity and In-
tegrity of others. And that thro' its not being in his Power to do
it, by abridging from the *Wages* which he had Covenanted to give,
the only method left wherein he could perform it, was by
withholding these *Gratuities* from them, to which by Contract
and Bargain they could pretend no Legal Right. Nor is the
Practice of the *Bishop* in this matter dissonant from the be-
haviour of all Masters whatsoever, who would be reckon'd to
demean themselves towards their Servants with Understanding
and Discretion.

But to advance to the Third *Accusation* entred against the
Bishop, under the Head of *Offences of many kinds*, which is, his
being Tempted to an Act of Injustice for the gaining of a
Groat. Whereof the Invective and False Account given by the
Author of the Summary View, is as followeth. Namely, That
one *Lewis Thomas* Paid unto him *Three Shillings for Procurations*

Ubi Supra. for a Vicarage in the Arch-Deaconry of Carmarthen, whereas in truth there were but Two Shillings and Eight pence, as was made appear by the Book of Procurations exhibited by the Promoter, which had been Transcribed from an Old Book of the Registers. To which Accusation, several things may be easily Replied. As (1.) that the hunting after such mean and trifling matters, whereby to get the Bishop Smutted and Reproached, sheweth with what Malice he was pursu'd, and how little Justice he was to expect. For to admit an Inquisition after things, for which no Laws had render'd him Obnoxious to the Sentence that hath been Pronounced against him, doth only declare the Wrath, which they who pretended to be his Judges bore unto him; and that having resolved before hand to Condemn him, they therefore thought it necessary to have him Expos'd and blackned in all the ways they could. Which must needs cause every honest and unprejudic'd Man, to believe that the Bishop's Misfortune lay in this, that he was
Tacit. Annul. Lib. 16. *Inter Damptos; magis quam inter Reos, One that was to be Destroy'd, rather than one who was Criminal.* And the best Answer to be made to Calumnies and Slanders of that kind, would be to a. attacque, and fall upon some of his Judges in the Language of the Comical Poet.

Plaut. Menecbm.

*Ego te sacram Coronam surripuisse Scio Jovis.
 Et ob eam rem in Carcerem dedesse Compactum Scio.
 Et postquam es emissus, casum virgis sub furea Scio,
 Tum patrem Occidisse, & Matrem vendidisse, etiam Scio.
 Satin hac pro sano maledicta maledictis respondeo.*

Annul. Lib. 15.

But (2ly.) upon my Inquiring more particularly into this matter, I do find, that the Bishop instead of having taking of Lewis Thomas Four pence, above what he had to demand and receive, did Generously remit unto him Five Shillings of what he had a right to have claim'd. For upon looking into the Bishop's Books of Procurations, I do observe that there was Owing by the said Thomas, unto him Five Shillings and Four pence for the Primary Visitation, and Two Shillings and Eight pence for the Triennial, and that the whole which he Paid, as himself Deposeth, was only Three Shillings. So that in the room of the Bishop's Extorting Four pence more from him, than he ought to have done, his Lordship freely forgave Five Shillings, which he might have Lawfully Exacted; and for that, this unthankful Man hath thus Villanously

rewarded him. Which as in reference to *Thomas*, it brings into my remembrance a saying of *Tacitus*, That *Plura saepe peccantur, dum neme reneur, quam dum Offendimus, & quadam virtutes odio sunt*; There are some People whom we do more offend by Acts of Goodness and Merit, than by our being Wrongful and Injurious, in that there are certain Vertues which are more hated by them, than Vices are; so with respect both to the Author of the Summary View, and to diverse others of a greater Figure; I cannot omit taking notice of an other Observation of the same Historian, namely, That *Reperies qui ob similitudinem morum, aliena Malefacta sibi objectari putent, etiam Gloria ac virtus in se habet, ut nimis ex propinquo diversa arguens*; There are those who by reason of their own ill Dispositions and Manners, never sooner hear others traduced for some sort of Offences, but they do immediately think themselves Accused and Convicted as Guilty of them; for even those Qualities and Actions which are most Honourable, and Worthy of Praise, do meet with some, who upon that very account, are the greater Enemies unto them, because that what is Disgraceful and Infamous in themselves, becomes the more condemn'd as well as detected, by being confronted with what is Virtuous and Commendable in others. Nor do I (3ly.) find that the Bishop received any more from *Lewis Thomas*, than Two Shillings and Four pence, at the time that he Deposeth he Paid him Three Shillings. For as 2. s. and 8. d. is the whole entred by the Bishop in the Book, wherein he used to Write down and Register whatsoever he Received; so if Four pence more was then Paid, it ought to be taken for granted, and would have been so by such as were Just and Impartial, that it was to, and in behalf of the Clerk for the Receipt and Acquittance. And as this was but what the Law allow'd to be taken on that account; so the Bishop without doing Injury to his Servant, whose Right it was to demand and receive it, could not oblige his Clerk to remit and forgive, nor consequently cover and discharge *Thomas* from Paying it, unless he should himself have undertaken to Account for, and make it good. Which as he had no reason to do, so the making such a Precedent, tho but in trivial matters, would not have been agreeable to the common Rules of Prudence and discretion. But (4ly.) that I may both shew the Ingratitude of this *Lewis Thomas*, and withall give an undeniable proof of the Bishops kindness unto, as well as of his aversion from exacting more of

of him than he had a just and legal Title to; it will not be amiss here to observe, how that according to *Thomas's* own *Deposition*, the *Bishop* did not only Order his Servant *Powel* to deliver him his several *Instruments* for *Institution*, *Induction*, *Dispensation* for non Residence, and *Certificate of Subscription* &c. when he was not in a condition to have paid for them, without the allowing him Credit for *Forty Shillings*; but that his *Lordship* also freely and generously forgave *Eighteen Shillings* and *four pence* which he was to have paid for a *License* to serve a *Cure*. So that unless *Charity* be *Transform'd* into *Covetousness*, and *Liberality* into *Oppression*, the *Bishop's* conduct towards *Lewis Thomas*, ought not have been perverted to his *Defamation* and *Disgrace*, but should have been mention'd to his commendation and praise. And infallibly it would have been so, had it not been the *Bishop's* misfortune to have the *Process* against him lie before some Men, to whom that "of the *Historian* is too applicable, namely that *ob virtutes certissimum exitium*, such are most liable and sure to be ruin'd, as are found not only least obnoxious to accusations for penal Crimes, but most Vertuous and best Entitled to Rewards. However the *Bishop* may both comfort himself in the being Treated in some measure as his Lord and Master the Blessed *Jesus* was, and may also with respect to the Dirt thrown by reason of his carriage toward *Lewis Thomas*, make use with modesty of the Words spoken by our *Saviour*, when the *Mobb* were about to Stone him, viz. for which of my good works do you thus unto me. And I dare say, that some who have acted *Juridically* against him, should it come to be their Lot to be prosecuted with the Violence, that he hath been, would with far less reason and Justice make that plea, than he may: 'Tis true they will have one advantage (in case they come into troubles) which he had not, to wit, that they will meet with few or none, who upon motives and principles of ingratitude will appear to be their Enemies; or who because of having no mind to acknowledge courtesies, do therefore declare hatred and wrath against such as had obliged them. For I doubt not but that there were some in the *Commission* against the *Bishop* of *St. David's*, who as they know that *proclivius est injuria, quam beneficii vicem exsolvere; quia Gratia oneri, ultio in quaestu habetur*, it is more natural to most people to revenge an Injury than to recompence a kindness, in that for Men to think themselves indebted for a courtesie, is a kind

Tacit.
Hist. Lib.
I.

Fob. 10.
32.

Tacit.
Hist. Lib.
4.

kind of mortifying consideration, whereas it administers Satisfaction and pleasure, to be of a persuasion that they owe an other an ill Turn and that they are in condition to pay it; so by what I am able to judge of these Great men from their practice, they are not much inclined to make themselves any Enemies, thro' the having been over-kind and Generous. And they being withall fully convinced, that *Beneficia eo usque lata sunt, dum videntur exsolvi posse*, but that *ubi multum anteverere, pro gratia, odium redditur*; Friendships received are only so long pleasing, while they may be easily recompenced, but that when they come once to exceed the power of being requited, they do then for the most part prove an occasion of aversion and hatred, rather than a motive to love and gratitude; I say that they being convinced of this, do thereupon what they can to avoid obliging any one beyond what he will be able at all times to over recompence and reward. So that were I to pass a Censure in reference to any part of the Bishop of St. David's behaviour towards Lewis Thomas, it would be, that he wonderfully mistook in the object of his Charity and Liberality when he gave those Testimonies of them which he did to him. And indeed its a faileur I have oftener observed in him than once, that tho' he knows how to be free and bountiful, yet he is not so happy as his Friends could wish, in giving Proofs of good Judgment and Prudence in the choice of those on whom he exerciseth them. And were I therefore capable of giving that Prelate Advice, it should be not to narrow his Charity, but to exercise more discretion (than he hath sometimes done) in the singling out of those, on whom he bestows it. For tho' whatsoever he giveth from a good Principle, and for a Merciful end, will meet with a sure and Blessed reward from God, yet to have the misfortune of extending his Liberality and Beneficence to unthankful and ill Men, may expose him to those Inconveniences in the World, which even Sanctified Wisdom will allow him to avoid.

So that having dispatched what I had to Reply to the foregoing Accusation against the Bishop, I am next to inquire into the Fourth pretended Offence, with and for which the Author of the Summary View hath taken the liberty to Asperse and Arraign him. Namely, for Injustice unto, and Oppression of one Peter Lewis, who is introduced, Depositing as followeth. That having been two Years a Tenant to some Lands belonging to the Bishoprick

Id Annal.
Lib. 4.

Summary
View. P.
5, 6. 7.

Shorrick, of 11.1. per Annum, he waited on the Bishop at his coming to the Diocess, to make him a Complement, and that whilst he was with him, the Bishop told him he must take a Lease of those Lands, and give him Ten Pounds for a Fine for them; to which Lewis Answering, that they were at a rack Rent; the Bishop reply'd come you must give me Ten Pounds for a Fine, others have given so much to other Bishops, and I will be kind to you. And that thereupon Lewis, the Bishop still promising to do him a kindness did offer to pay the Bishop the Ten Pounds, viz. Nine Guineas in Gold, and the rest in Silver; but the Bishop seeing that, said he would have Lewis make it up Ten Guineas, and he should find him his Friend, which he accordingly did, and had a Lease Granted for Twenty one Years: And that at the same time, but after the payment of the Ten Guineas, the Bishop shew'd him a Book of the Benefices of his Diocess and bid him chuse or pitch upon one that he lik'd; and that thereupon Lewis desiring he might have the Vicarage of Laurain when it was void, the Bishop said he would remove the Incumbent, which he accordingly did within the space of a year, and Collated Lewis thereto. So that from this Information upon the

Lewis the
Promoter's
44. Wit-
ness.

Oath of Peter Lewis, the Author of the Summary View, hath in relation to that Transaction between the Bishop and him, ventur'd to charge his Lordship with three very Scandalous and abominable Crimes. Whereof the first is, as he is pleas'd to stile it, with sordid injustice, in that after he had agreed and contracted to Grant Lewis a Lease of the foremention'd Lands, upon his paying a Fine of Ten Pounds, he exacted so much more of him, as the current value of Ten Guineas ariseth beyond that Sum. And of which the Second is even worse; namely high oppression, in that his Lordship not only required and took a Fine of Ten Guineas for a Lease of the Palace Lands, for which no Fines had been ever either demanded or paid before, but but that he required and exacted it, when the said Lands were at a full Rack Rent. And for both these not only the Testimo-

Ed. Mey-
rick, Pro-
mot. 31.
Wit.

ny of Edmond Meyrick (whose Character hath been already inquired into) is alledged, who Swears that as he never knew nor heard that those Lands were Leased or Fined for; so also that they were then Let at a full rack Rent; but as to the first of them there is likewise brought the Deposition of one William Ford who Swears that he had been Twenty four years Steward to the Bishop of St. David's, and had often set those Lands, but never knew any Fine given for the Lease of them. Finally the Third Offence

with

with which the Bishop stands aspersed and charg'd in relation to the foremention'd *Transaction* with *Lewis*, is his becoming thereupon involved, and his having by occasion thereof rendred himself Guilty of the Sin of *Simony*. For not only *Meyrick Swears*, That the *Fame was*, that the payment of the Ten Guineas by Peter Lewis, was the motive of the Bishop's Collating him to the Vicarage of Lanrian; but the *Writer of the Summary View* doth positively assert that the said *Action of the Bishop's* carries a *Simoniacal Air* in it. In reference to all which *Accusations*, I doubt not but that I shall be able to give such *Answers*, and to make such *Reflections* upon those, whose *Informations* gave rise unto, and administred occasion for them, as shall not only fully *Vindicate* the Bishop from all guilt and reproach by reason of them, but which shall also effectually *Cover them* with *Shame* and *Confusion*, who either admitted these things to come into proof against him, or who gave credit to the Depositions of those who falsely and perjuriously Swore them. And the *First* thing that I am to observe by way of *Reply* to what this *Peter Lewis*, (on whose Testimony, the Bishop is accused, that after his having Contracted with the said *Lewis* for a *Fine of Ten Pounds*, he should have extorted from, and Exacted of him the Sum of Ten Guineas) hath deposed and Sworn, is, that being evidently perjur'd in one material part and circumstance of his *Information*, he ought not therefore to have been believed in reference to any other particular of it whatsoever. For as we have taken notice before, how it is received as an Universal and establish'd *Rule in Law*, that he who in the giving *Evidence* doth appear unto him in *nothing* he *Deposeth*; so I cannot forbear accounting it very infamous in *Judges* called not only *Christians* but *Bishops*, to have acted so dissonantly from that *Rule* as they have done. Seeing the very *Heathen Orator*, would have taught them to have acted more conformably to it, if they had but consulted him. For he lays it down as a *Maxim*, that *ubi semel quis perjurerit, ei credi, postea, etiam si per plures Deos juret, non oportet*; He who is once, or in one thing Forsworn is never to have faith given unto him in any thing, let him Swear by whom, and as much as he will. Nor can any thing be plainer, than that this *Lewis* is liable to have this *Exception* made to his Deposition, and this *Reflection* upon himself. Forasmuch that having Sworn, that the *Transaction* between the Bishop and him about the *Palace*

Cicer. O.
rat. pro
C. Rabir.
post.

Lands, was at the time when the *Bishop* came first to the *Diocess*, when nevertheless it doth evidently appear from the very *Date* of the *Lease* Granted to *Lewis*, that the giving it to him, was neither Treated of, nor Executed untill the *Year* after. And if the mistaking in a *Day*, and much more the Erring in a *Week*, and more still as to a *Month*, in point of time, when a thing informed of, is Sworn to have been done or transacted, hath been held always enough, both to detect the *Perjury* of the *Depo- nent*, and to invalidate and overthrow the whole of his *Depo- sition*; How much more should an undeniable Error and False- hood as to a *whole Year*, have been esteem'd sufficient for sub- verting the Validity of *Lewis's Deposition* in every particular and circumstance, wherein he is contradicted by him against whom he Swears? And therefore the *Bishop* being positive, that there was never less in *Treaty* for the *Fine*, than *Ten Guineas*; the *In- formation* of *Lewis*, that the whole demanded at first was only *Ten Pounds*, ought not to have been recited, nor to have had Credit given unto it. And by consequence, the *sordid Injustice* whereof he is Accused, by reason of his exacting *Ten Guineas* after the having Bargain'd for *Ten Pounds*, should have been both accounted and rejected as an Invented and Slandorous Defa- mation. Nor has the *Author* of the *Summary View*, &c. dis- cover'd either Wisdom, or Justice, in mentioning it among the Offences, with which he hath assumed the liberty of as- persing the *Bishop*; but instead thereof, he hath only pro- claimed his malice against him, and his ignorance of the Rules and Measures, which ought to be inviolably and sacredly observ'd in all Judicial Proceedings. Neither in the *Second Place*, is it only with reference to the *Time* of having Treated about the *Lease*, that *Peter Lewis* hath apparently Forsworn himself, but there is also an other particular in his *Diposition*, wherein it can be evidently demonstrated that he is likewise perjur'd. For whereas he Swears, that the *Lands* of which he had been *Two Years a Tenant*, and for the Granting unto him a *Lease* where- of the *Bishop* demanded a *Fine*, were at his Entrance upon the *Tennancy* of them, Set at a *Rack Rent*, the contrary hereof is both Apodictically evident, and uncontrollably certain. In that it is not only in proof, that at the time when the foresaid *Lands* were *Leased* by the *Bishop* to *Lewis*, Mr. *John Hall* one of the *Vicar Charals* of *Saint David's*, (who having been once a *Tenant* to those *Lands*, had reason to know the value of them) would

would have willingly given both the *Fine* that was received of *Lewis*, and also have paid the very same *reserved Rent* that *Lewis* was to pay; but that it is also in proof, that *Mr. Charles Price* Precentor of the Church of *St. David's*, &c. hath declared upon Oath, That he knoweth the worth of those Lands so well, that even after the Expiration of Eight years of *Lewis's Lease*, he would for the Remainder of it, have given to *Lewis* (and offer'd so to do) the Ten Guineas he had disbursed for the *Fine*, and have also paid the reserved *Rent* of Eleven Pounds per annum. So that whereas *Edmond Meyrick* hath likewise Sworn to the rackness of the *Rent*, at which those Lands were at first set to *Lewis*, instead of thereby vindicating *Lewis* from *Perjury*, he hath only shew'd his own Villany, by proclaiming how ready he was willfully to Forswear himself in order to the Fastning a reproach upon his *Diocesan*. And by *Meyrick's chiming* in reference to one particular with *Lewis* in *perjury* I am made inclinable to suspect that *Lewis* was suborn'd by him to the Deposing of the whole wherein he is Forsworn. And this I am the readier to believe, because of what I am to say in the Third Place, by way of justifying the *Bishop* from Oppression in his demanding and exacting a *Fine* of *Lewis* for a *Lease* of Lands, for which as *Meyrick* as well as *Lewis* do Swear, there had none been ever Required or Taken before. For whereas *Meyrick* hath positively Depos'd upon Oath, that he never knew, nor heard, that those Lands had been either Leased, or Fined for; it is plainly impossible, but that he must have both known and heard, that they had been as well Fined for, as Leased. Forasmuch as that it is in Proof that *Bishop Lucy* had Granted a *Lease* of the said Lands to one *Henry Williams* late of *St. David's* Gent. for the Term of three Lives; and that the said *Bishop Lucy* being afterwards desirous to leave those Lands in *Lease* to one of his Sons, was after a Suite at Law for obtaining the Surrender of it from *Williams*, upon pretence of breach of Covenant in dilapidating the Palace and the said Lands, forced at last to Give, or to Forgive (which is equivalent) a 100 l. to the said *Williams* for the Resignation of his *Lease*. Yea it is also further in proof that *Bishop Thomas* did also Grant a *Lease* of the said Lands to *Mr. John Hall*, and that for and in consideration of the Sum of 10 l. or 10 l. 10 s; *Fine*, and 10 l. reserved *Rent* payable every year. And that *John Hall* meeting with interruption in his possession of them from the Tenants; who were then in the occupation of those Lands, did assign one *Moiety* of them to one *Henry Harris* of *St. David's* for

Cr. Pryse
the Bishop's
44. Wm.

Ch. Pryse
the Bishop's
44. Wm.

Hen. Harris
the
Bishop's 21
Wm.

and in consideration of 5 l. 5 s. Fine, and of 5 l. 5 s. Annual reserved Rent; and the other Moiety thereof to Mr. Thomas Roberts likewise of St. David's, upon the consideration of 5 l. 15 s. Fine, and the payment of 5 l. or 5 l. 5 s. yearly Rent, during the continuance of the said Assignments to each of them respectively. Yea it hath been also further in proof, how that Bishop Womack, had at the instigation of this very Meyrick, been prevailed upon to void the Lease made by Bishop Thomas of those Lands, and to Let them upon a certain consideration to his Nephew. And as he cannot be said to have been exacted upon, and much less oppressed, in whose power it not only was to have refused to comply, but who knew that there were others ready to have given what was demanded of him; so instead of having thereby cause given him by the Bishop of complaint, he had matter afforded him for being thankful. And which he would have thought it his duty to have been, had he but had the virtue of the Roman Orator, who tells us, that *non solum is Gratus esse debet, qui accepit beneficium, verum etiam is, cui potestas accipiendi fuit*, He not only ought to be grateful, who hath received a kindness, but likewise he to whom one was offer'd and in whose power it was to have obtain'd it. So that it being altogether impossible, but that Meyrick must have both known and heard, that those Lands had been as well Fined for, as Leased; his Swearing therefore that he neither did, nor ever had, doth only shew with what little reluctancy of Conscience, he could premeditately and wilfully perjure himself; and that he is a very likely person to draw others into the perpetration of the same crime. And as I have not been severe in my Reflection on Meyrick by charging him with willful perjury; so I should not be injurious to William Ford, in pronouncing him to be no less evidently Forsworn in what he hath Deposed. For whereas he hath Declared upon Oath, that *tho he had been twenty four years Steward to the Bishop of St. David's and had often set these Lands, yet that he never knew any Fine given for the Lease of them*: he can be no less than wilfully perjured in Swearing so, In that not only most of the Foremention'd Transactions, were during the time of Ford's Stewardship, and particularly the Suite at Law between Bishop Lucy and Mr. Williams; but because it hath been also in proof how that he being Steward to Bishop Thomas, when Harris took Hall's Assignment, called him Fool for doing so; telling him at the same time, that the said Bishop Thomas, without his taking either the foresaid Assignment, or the paying the foremention'd Fine,

John Hall,
the Bishop's
19. Winn.
Hen. Har-
ris the Bi-
shop's 21.
Winn.
Ch. Pryse.

Cicer. O.
rat. pre
provinc.
Consular.

Hen. Har-
ris, the
Bishop's
21. Winn.

would have given him no disturbance in the occupation of the premises. Nor will it be here either undecent or immodest to Inquire, why it should be criminal in the Bishop of St. David's to Lease out the Palace Lands of that Bishoprick and to receive a Fine for doing it, more than it is in other Bishops, who are known to have done, and to continue still to do the same. And I would willingly be made to understand, why it should be accounted, not only just, but good Oeconomy in the Arch-Bishop of Canterbury, to Grant a Lease, and to receive a Fine for the decay'd Palace of Canterbury both which (as I have been told) have been done; and yet to be held injustice and oppression in the Bishop of St. David's for acting conformably to the Precedent set him by his Metropolitan. But among the many other unhappy effects, which proceed from mens being embarqu'd in different Parties and Factions, especially among those of the Clergy (who as they are too many of them the most bigotted and furious of any, so they claim a peculiar Right both of Sanctifying whom and what they like, and of Reprobating whom and what they dislike) this is one, and that not the least pernicious, that persons become not denominated Good or Bad from their Actions, but that Actions receive their specifications of being Virtues or Vices from men, as they are found to be of this or that herd and combination. So while One *Amicitias meruit magis, quam habuit*, deserved friendships, but Tacit. Hist. Lib. 3. could neither obtain them nor justice; another is treated with that favour and partiality, that it becomes undeniable, *quod Amicis secus, quam honestis vivuntur*; that they are consider'd by them not Idem. Annal. Lib. 13. as being honest men, but as those for whom the other have distinguishing kindness. And in case any thing come judically before such as are engag'd and wrapt up in Parties, they fail not to declare whom they esteem their Friends, and whom their Foes, *utendo imperio, cum legibus agi debet*, by exerting their Authority and Power instead of Administring Justice according to the Tenor of the Tacit. Annal. Lib. 3. Laws; that I may allude to a passage of the Historian. But in the Fourth place, that I may Reply unto, and Justify the Bishop from the aspersions of Simony, fastned upon him by reason of his Collating Peter Lewis to the Vicarage of Lanrian, after the having received from him Ten Guineas for the Lease of the Palace Lands; I would fain know what pretence they can have from that for the foremention'd Defamation. Seeing that as both the demanding, and the taking of the said Guineas, appear

pear to have meerly on the consideration of Granting unto *Lewis* a *Lease* of those *Lands* ; and that as they were paid by him only in the way of a *Fine*, so that they in regard to the value of the *Lands*, amounted but to very moderate one. And therefore that his *Lordships* Collating *Lewis* afterwards to *Laurian*, was but what he might very Lawfully and innocently do. For as whensoever *Clergy men* come to be *Tenants* to any *Bishoprick Lands* whatsoever, they thereupon acquire a Right of being preferred, *ceteris paribus*, before others, to such *Living*s, as fall under the disposal of their respective *Diocesans* ; so the *Bishop* of *St. David's*, in the Collating *Lewis* to *Laurian*, did nothing, save what he was obliged unto by the Rules of common Justice. So that whereas his having done it, is censur'd by the *Author* of the *Summary View*, as carrying a *Simoniackal Air* in it ; I will be bold to affirm, that his having omitted to Collate him either to that place, or to some other for which he was qualified, would not only have carried the Air of Unrighteousness, but have been down right Injustice. And consequently the only reflection, which the *Bishop* can be obnoxious unto upon that account, is not that therein he did an unlawful or an ill thing ; but that he did a good and Legal thing to an ungrateful man ; from whom (according to the saying which I have mention'd before) *pro gratia*, he met with *odium*. And as *Lewis's* deserving the character of a most unthankful person, can give no reputation either to the promoter in his producing him for a *Witness* against the *Bishop*, nor put any singular esteem upon the righteousness and wisdom of those who believed his *Testimony* ; so it can be no disgrace to the *Bishop* to have been calumniated by a Fellow, guilty of a crime, which is even to a Proverb accounted the worst of any ; and is therefore accompanied with that Infamy, which the greatest Villanies scarcely are, viz. that *ingratum si dixeris, omnia dixeris*, if you call a man unthankful, you call him every thing that is bad, in styling him so. Whereof the very Heathen writer by the alone light of Nature doth assign us the reason, in telling us, that *Gratitudo vera, non solum maxima virtus est, sed etiam mater omnium virtutum reliquarum*, Gratitude is not only the chiefest Vertue, but the Mother and Root of all other ; so that where that is wanting, neither Truth, nor probity, nor any other Vertue are to be look't for.

Cicero.
Orat. pro
Cn. plancio.

So that having sufficiently (if I do not greatly mistake) accounted with the *Author* of the *Summary View*, &c. For the *Fourth* Accusation, wherewith, (under the Head of *Offences of many kinds*) he had charged the *Bishop* of *St. David's*, I hope that I may now safely Proceed to Encounter that *Writer* upon the *Fifth* Aspersion of the same sort, with which in Slandering of the said *Prelate*, he hath no less discover'd weakness and want of Judgment, than Impudence and Insolence. Now the Offence, to be taken into present consideration, wherewith he hath Indeavour'd, as well to Defame, as to Smut and Blacken him, is that the *Bishop* was not very nice and scrupulous what he did, in order to save a little Money. And of this he brings in Proof, how that the *Bishop* not only Employ'd one *Thomas Powel*, *Summary who had been Convicted, even before himself, of Forging of Priests View, p. Orders, to be his Curate at Burrough-Green, (the Rectory whereof 6, 7. the Bishop held in Command) But that he would allow him only 25 l. per An. for his serving of that Cure.* So that hereby the *Bishop* stands Accused of being Guilty of Two very great and Scandalous Offences, of which as the one is, That he gave *Powel* so narrow and-scanty an Allowance for serving of the foremention'd Cure; so the other is his having Employ'd a Person to be his Curate, who had not only Forged his Orders of Priesthood; but his having done it as it would seem, without any previous Inquiry, whether *Powel* had any real Orders of Priesthood, or not. And that it was very probable he had not, in that having (as *Powel* him-
 self Swears) Forg'd his Orders about the Month of March 1688. Tho: Po-
wel Prom.
46. Wim.
 he was taken into the *Bishop's* Service, and admitted to be his Curate at the foresaid place, on the 11th day of December 1690. To both which Accusations, I shall endeavour to give such Answers, as shall abundantly not only Vindicate the *Bishop* from Reproach, as well as from Guilt, but which shall render the *Writer* of the *Summary View*, &c. the Scorn of Honest Men, and the Jest of those that are Witty. And as to the *First*, which is The *Bishop's* having taken one to be his Curate, who had been Convicted (and that even before himself) of Forging Priests Orders, and the having also done it without previous Inquiry, whether he had any real Orders or not; I have diverse Replies to give thereunto, and several Reflections to make upon the *Bishop's* being Articulated against upon that Information. Whereof the *First* shall be, That even by the acknowledgment of the *Author* of the *View*, The *Bishop* upon *Powel's* being Convicted of that Crime,
 had

Powel's
Answ. to
Interrogat.
10. July
1695.

Ubi su.
pra.

Tacit. An-
nal. Lib.
1. Hist.
Lib. 1.

had not only Suspended him from the Performing any Ministerial Office for two Months; but had also made him confess his Offence and his Sorrow for it, on the same day he hired him. Where tho' I am bound to do that Writer so much right, as to own his having by this Concession Reported the matter truly, as to the most momentous and considerable particulars of of it; yet I can not omit observing his having grossly, and I fear willfully, prevaricated in several lesser things relating thereunto. For whereas he hath declared *Powel's being sent to Burrough-Green in the Month of December 1690.* which he was not untill the *Month of January following*, as appears by *Powel's own Deposition*; so instead of the *Two Months*, where- in that *Writer* admits *Powel* to have been *Suspended*, it is most certain, that he stood *Suspended* by the *Bishop* for *Three Months*, or very little less, viz. from the end of *September*, untill the *11th of December*, as the said *Powel* doth also *Depose*. And tho' these may seem unto some to be but small and trifling mistakes in the *Writer* of the *Summary View*, yet they do no less shew the insincerity of that *Author*, than if his Misrepresentations of that affair had been in more material Points. It being not only required of an *Historian* *Ne quid falsi dicat*, And that whatsoever he Writes, it be *Sine ira & odio*; But that he be exactly careful, *Ne veritas sit pluribus modis infracta*, That the Truths which he reports, be not weakned and disparaged by a mixture of Falsehoods with them. For whereas false Reasoning doth only leave a Reflection upon a *Writers Understanding*, or at most doth but expose him to censure for want of Discretion, thro' engaging upon a Subject, for which he was not Qualified and Adapted by Intellectual Accomplishments, whether Natural, or Acquired: It is universally acknowledged, that the Reporting matters of Fact with the least variation from what they were, must directly proceed from a Fault in the *Author's Will*, and must consequently declare him to be a person void of honesty, and of a depraved Conscience. Whereunto I will in the *Second place* Subjoyn, that the *Bishop* of *St. David's* hath acted more agreeably to his Spiritual Dignity and Office, by his laying *Powel* under a *Suspension*, and in bringing him by that exercise of Christian Discipline to a *Confession* and *Recantation* of his Offence under his *Hand and Seal*, and so far as could exteriorly appear, to *Contrition* and true *Penitence* for it; then some other

Bishops

Bishops claiming an Authority to Censure him, have themselves, done in reference to persons proved Guilty of the like Crimes. For tho' I cannot say, that the person notoriously known to have offended in the same manner (whom I have in my Eye) doth stand at present preferred to any Ecclesiastical place (for which there is this reason to be assigned, that his Pensions are greater, than any Church Living for which he is either qualified, or doth pretend, could amount unto) yet he is one of the particular Favourites of the Sublimest of our Clergy, and has Tasted of their most distinguishing and singular Bounties upon occasions. For I suppose few are Ignorant, how that one styling himself Dr. *Kingston* notwithstanding his having *Forged Priests Orders*, was nevertheless not only esteem'd worthy to be set up as a *Witness* in reference to the *Lancashire Plot*, but hath been honour'd and employ'd since to be an Eminent *Writer* of *Narratives* and *Histories*, and is said to be plentifully rewarded, for imposing *Fables* upon mankind, instead of furnishing them with true matters of Fact. But *Thirdly*, that I may answer more directly to the foregoing *Accusation*, I do say that as the *Bishop* could not upon *Powel's repentance* and *recantation* of his *Crime* deny him *Absolution*; so the ancient Rigours of the primitive Discipline being wholly superceded and become obsolete (whether in conformity to the Laws of our Holy Religion, or in dissonancy from them, I will not determine) it was not in the *Bishops* power to debarr him from the Exercise of the Office of a Clergy man, provided he was really in *Orders*, of which more anon. And if *Powel* stood entitled to the Discharging the Duties of a *Priest*; I would fain know why the *Bishop* of *St. David's*, might not, without becoming obnoxious to blame or Censure, Employ him in the Exercise of the Offices of the Sacerdotal Function. Yea it was most proper for him of all men to do it, in that he had not only Absolved him upon his recantation and repentance, but because during the time of *Powels* being under Penitence, the *Bishop* had obtain'd opportunities and advantages of arriving unto a knowledge both of his Intellectual and acquir'd parts, and of his Ministerial Abilities. And it can not but surprise every thinking man, if he be but withall a Person of Honour and Probity, that it should come to be imputed to the *Bishop* of *St. David's* as a Crime, that having *Absolved Powel*, he should afterwards use him for his *Curate*; when not the least

reproach falls to the share either of the Great *Metropolitan*, or of the present Bishop of *Norwich*; for suffering him to continue in the full *Exercise* of the *Sacred Ministry*; as he doth at this time in the *Bishoprick* of the latter, and that without the having received any other *Priestly Orders*, save what he really and actually had, when the *Bishop* of *St. David's* took him to be his *Curate*. Which leads me to the *Fourth Reply* which I am to make to the foremention'd *Accusations*, *Namely*, that whereas it hath been more than suggested by the *Author* of the *Summary View*, that the *Bishop* previously to his sending *Powel* to *Burrough Green*, did neither know, nor *Inquire*, whether *Powel* had real *Orders*, or not; I do affirm that the *Bishop* had both *Inquired* after his *Orders*, and did find and know them to be real, antecedently to his sending him thither. Nor is it possible, that the *Author* of the *Summary View* &c. could be ignorant of it, it having been declared upon Oath by *Powel* himself and that in the very *Depositions*, whence the said *Writer* hath borrow'd and taken all the *Aspersions*, with which he hath presum'd on *Powel's* evidence to slander and Calumniate the *Bishop*. Whereof it will not be amiss to give a short, but a more faithful Account, than that dishonest and fabulous *Author* hath been pleas'd to vouchsafe us. *Namely*, that as *Powel* had at first *Forged Priests Orders* in and about the month of *March* 1688; so he had received *Full and True Orders* from *Herbert Bishop* of *Hereford* on the *Fifth* day of *June* 1690. And that whereas he was not sent for by the *Bishop* of *St. David's*, nor *Examined* by him about his *Orders*, untill the latter end of *September*, or the beginning of *October* 1691; so that he had then, and upon that *Examination*, produced and Exhibited his *True Orders* to his *Lordship*. But that the said *Bishop* having both charged him with the *Forging* of former *Orders*, and with the having *Acted Ministerially* for sometime in the virtue of *Forged Orders*, he the said *Powel* had with all humility acknowledged it, and was thereupon *Suspended* by the *Bishop*, for the time which we have already mention'd. So that as it shews the great partiality, unfaithfulness, and even effrontery of the *Author* of the *Summary view*, to have charged that as a *Crime* on the *Bishop* of *St. David's*, for which he neither thinks the *Arch-Bishop* of *Canterbury*, nor the *Bishop* of *Norwich*, to deserve so much as a *Reprimand*; so it doth give us but a very odd Character both of the great man at *Lambeth*

See *Powel's Answer to Interrogat.*
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beth, and of several of his *Comprovincials*, that they would allow that to come in proof against the *Bishop* of *St. David's* as an *Offence*, under the guilt whereof (if it was one) both his *Grace*, and the present *Bishop* of *Norwich*, are so deeply involved. But it is the misfortune of that *Prelate* *reum fuisse se, tantum pena expertu*; to be made sensible only by his punishment, that he was accounted *Criminal*; while they who made this to be one reason of their proceeding with so great severity against him, must remain transferred over to an other Tribunal, in order to its being known, who they were, and if they are not more remarkable Transgressors in that particular, than the *Bishop* of *St. David's* was. However we can not have a greater evidence of the *Illegallity* (I am loath to say of the *Unrighteousness*) of the *Judicial* procedure against that *Prelate*, than that as the *Arch-Bishop* had at *Lambeth* rejected the *Motion*, for the *Bishop* of *St. David's* bringing into *Proof*, that *Powel* had real and true *Orders* of *Priesthood*, when he received him to be his *Curate*; so the *Delegates* did absolutely refuse the admitting its coming into *Probation* before them. Seeing no other Reason can be so much as imagin'd why either *They*, or the *Metropolitan*, should have denied his *Lordship* a matter of *Common Justice*, and to which he had a Right by the *Laws* of *God*, and of *Nations*, but that they knew he could prove *Powel* to have been in full and *Lawful Orders*, previously to his Employing him, and that thereby and upon it he would have stood *Vindicated* from a *Defamation*, and *Justified* as *Guiltless* of an *Offence*, that they had a mind to have him blackned with, and *Censur'd* for. But I must proceed to the encountering the *Writer* of the *Summary View*, in relation to the *Second Offence*, whereof the *Bishop* stands accused by him for his behaviour to the foremention'd *Thomas Powel*, viz. that he allow'd him no more than 25 *l. per annum* in consideration for his Undertaking to *Serve the Cure* of *Burrough-Green*. And to this I have also several things to *Reply*, and such (if I be not deceived) as shall make both that *Author*, and some *Others*, wish it had never been mention'd. And tho' diverse of those (whom the *Reflections* which I am to make may possibly affect) as well as that *Writer*, are of such a *Complexion* of *Mind*, as also of *Visage*, that let them be never so justly and criminally exposed, they neither know how to be *asham'd*, nor to *blush*, yet I doubt not but that by what I am to say, the Reasonable part of mankind, will be led to

judge less favourably of them for the future, than they have heretofore seem'd to have done. And the *first* Reply which I intend to make, shall be that it is matter of amasement to me, how one that is an Advocate and Partizan for the *Metropolitan* of *Canterbury*, and for so many of his *Comprovincials*, should have the impudence, as well as the indiscretion, to *Accuse* the *Bishop* of *St. David's* for allowing but 25 *l. per Annum* to his *Curate*; when he cannot but know, that there are very many *Church Livings* in *England* and *Wales*, which do not amount to so much, and that neither his *Grace* of *Canterbury*, nor any of those who were *Assessors* unto him in the *Process* against the *Bishop* of *St. David's*, have ever in the least endeavour'd to get them *Raised* and *Augmented*; tho it hath been in their power, and still is, to have obtain'd and effected it. For as it is a most doleful observation, that among the 8348 *Spiritual* or *Church preferments* in *England* and *Wales* of *Ancient* and *New Foundations*, there are above 4359. which are not worth 30 *l. per Annum*, and many of them not worth 20 and several of them not worth 10 *l. Annually*; so it is too undeniable, that these *Scandalous Livings* (as one who was often heretofore a *Member* of the *House* of *Commons*, as has often said it within those Walls) do make *Scandalous Ministers*. In that they whose misfortune it is to be *Incumbents* upon them, not receiving whereby to maintain themselves, and much less their Families, do unavoidably fall under such necessities, that by reason of them they are led into those *Temptations*, which carry them to the doing things, that are both scandalous and mean. Seeing as the common saying is, *necessitas cogit ad turpia*, necessity compells men to do that which is both evil and disgraceful, and as *Tacitus* expresseth it, *quibus ob egestatem peccandi necessitudo*, are forced to offend by reason of their indigency. For besides that it doth depress mens spirits, that they can not arise to that considerableness in the Church, which their natural Parts had adapted them for, in that *haud facile emergunt quorum virtutibus obstat, res angusta domi*, they who are straitned at home, will hardly ever come to be ter to the valuable in the World; so to say the truth of it, they who are Kings, in daily to study how to live, will (as my Lord Bacon phraz'd it) have but very little time to live to Study. And yet tho' this be the Case of many hopeful and very good men of the Ministry in England, nevertheless I do not find, that any of our present Bishops, have so much as made it any part either of their Care,

Annal.
Lib. 3.

See his Letter to the Serinia Cecilian, or the Cabala, p. 104.

or

or their Endeavour, to get these scanty and disgraceful *Living*s augmented with respect to the profits and Emoluments of them. Tho' they are thought to have had an advantage for doing it, which their predecessors (even by their own concessions) were not furnish'd with. Seeing their Lot is fallen to be *Posted* in the high places of the Church, under a Prince who (as is to be supposed) would have hearkned unto, and complied with any proposal and motion, which should have been made unto him of that kind. For he having declared, that the *saving the Protestant Religion*, was the great *End of his coming hither*; and it being upon that prospect, that he was *Exalted to the Throne*; it ought not to be question'd, but that he would have both fallen in with, and have taken pleasure in promoting, what would have not only been for the Security, but so much for the honour of our Religion as that would have been. For I dare say, that our Religion is not only greatly disgraced by so vast a number of *beggarly Church Livings*, in so opulent a Kingdom, as this is; but that it is thereby left more exposed to the being Overthrown, than ever it could be by all the Plots and Conspiracies of the *Papists* for the Subversion of it, which to prevent and cover it from, the Nation hath run into the Expence of so many *Millions*, as it hath done. And their *Lordships the Bishops*, might with the more assurance, have promised themselves the being graciously hearkned unto, in any Applications of that nature, which they should have made unto the Throne, in that his *Majesty* was Born and Bred in a *Country*, where as all the *Ministers* of the Gospel are comfortably provided for while they live; so there is special care taken by those in the Government there, for the *Subsistence* of their *Widows* and *Children* after their *Decease*, in case their *Husbands* and *Fathers* are found to have died *Poor*. But why do I complain of the neglect of our *present Bishops* in Addressing others in this matter, when they are so scandalously careless and wanting, as they are, in doing what they easily might of themselves for the remedying of the foresaid mischief, and for the wiping away of the foremention'd reproach. Of which I shall endeavour both to give them a Demonstration, and to delineate them a way for the performing of it, provided they can but bring their *Grandure*, (I will not say their Covetousness and their Luxury) to give place to their Generosity and Charity. For the *Livings* in *England* and *Wales*, being upon the Survey

of them the 26 *Hen. 8.* Valued at 162433 *l.* 14 *s.* 6 *d.*; and the *Dignified* and *Superior Clergy*, (who are but 3989) having above 100000 *l.* of this settled upon and paid *Annually* unto them; whereas the *Inferior* and *poorer Clergy* being 4359, have not allow'd unto and among them, the full Sum of 62433 *l.* *per annum*; it will from thence demonstratively appear, that there would be enough out of which to give a Competency to the *Latter*, if the former would but express that *Humanity* to their *Bretheren*, or shew themselves either *Concern'd* for the *Honour* of the *Reform'd Religion*, or so much under the *Influence* of the *Precepts* of the *Gospel*, as to *abate* of their *Superfluities*, for *Supplying* the *Necessities* of those, who are no less *Men* of the *Sacred Order*, than *themselves*. Nor will a Suggestion and an Overture of this nature, be thought unreasonable either by my *Lords* the *Bishops*, or by those vulgarly stiled the *Dignified* and *Superior Clergy*, if they will but allow themselves to consider, how that antecedently to the *Secular Laws* which have been made and enacted for the *Settlement* of such and such *Portions* of *Yearly Rents* upon this and that particular *Bishoprick* and *Ecclesiastical Cure*; the *whole* which before those times was *Granted* and *paid* to them who laboured in the work of the *Ministry* of the *Gospel*, became merely *Lodged* with those who were *Bishops*, as with *Trustees* and *Stewards*, who (after the subtracting of a small pittance for their own bare and frugal Subsistence, and not for the Living Splendidly and the keeping their Coaches and Six) were to have the disposal of it partly among their Clergy, and that answerably to every ones exigency, and his laboriousness in the discharge of the Offices of his Function, and partly to uses of Mercy and Charity, such as the Redeeming of Christian Captives; the maintenance of poor Widows and Orphans; the endowing of Vertuous and Indigent Maids of an honest Descent; and for the Erection of Hospitals for infirm persons, who could not work, and were ashamed to beg, &c. But seeing that neither the present State of the World, nor the condition of the Christian Church, nor the establish'd Laws of those Nations and Kingdoms who have embraced the *Gospel*, will admit the running back to such a Method; and much less give encouragement to the Imitation of the Examples of *St. Cyprian*, *St. Paulinus*, *Epiphanius* and others, who being received into Ecclesiastical Orders &c. abandon'd their Temporal Hereditary Estates, and gave them

up to the use and Benefit of the Church, and to the Relief of the Poor, and to works of Mercy and Charity ; all I would therefore either desire, or expect from our *Bishops* and *Dignified Clergy*, is only that they would be more forward, than they are, to allow something out of their own great plenty and abundance, for and towards the raising a *Competency*, for their poor *Brethren* stiled the *Inferior Clergy*. And because I know not how even to hope for that, either from their Generosity, or from the admirableness of their Piety, or in the least believe that they will be persuaded to do so noble and exemplary a thing, I shall therefore beg the pardon of the *Bishops*, and of the *Superiour Clergy*, for assuming the liberty of shewing how all the *Church Livings* in *England* and *Wales* may be brought to a *Competency*, without the *Raising* a *Tax* upon the *Nation*, either for the *Buying in* of *Impropriations*, or for the *purchasing* of *other Lands*, sufficient to give every *Clergy man* a convenient *Livelihood* for himself and his *Family*. In order to the explanation and proof whereof, I need do no more than to observe, that whereas all the *Spiritual Preferments* in *England* and *Wales*, whether upon the *Old*, or the *New Foundations* and *Establisments*, do by and according to the *Valuation* 26 *Hen.* 8. amount only to 162433 *l.* 14 *s.* 6 *d.* per annum ; that by and according to the *New Valuation* they do come and arise to the yearly *Value* of 1399470 *l.* 6 *s.* 6 *d.* Whereof should only the *First Fruits* and *Tenths*, which will amount to 2500025 *l.* 3 *s.* 10 *d.* come to be shared and divided among the *small Benefices* they would thereby be increased and augmented each of them to about 70 *l.* per annum, which would give a competent *Maintenance* to all the *Inferiour* and *poor Clergy*. And the providing for so many necessitous *Ministers* by this means and after this manner, would not only have this advantage attending it, that it would be without any damage or loss to the *Kings of England*, in that the full old *Rent* for *Tenths* and *First Fruits*, would still remain to be paid entirely to the *Crown*, as it was formerly ; so it would be the likeliest method I can think of, for diverting the *House of Commons* (whatsoever straits they may be reduced unto for the *Raising* of *Money*) from making the improved valuation of *Church Lands* above what it was 26 *Hen.* 8. a *Fund* for the *Borrowing*, and for the *paying* of *Interest* for a *vast Sum*. And as this is an *Overture* and *Proposal*, which I can hardly think that any of the present

present *Bishoos*, or of the *Superiour Clergy*, will have the wickedness and barbarity to give opposition unto (and dare undertake that the *Bishop* of *St. David's* will not, notwithstanding all the misrepresentations made of him as a Penurious and Covetous man) so it is not to be question'd but that both the *King*, and the *Two Houses*, will readily concur in it, if a *Bill* to so merciful, as well as to so honourable an End and purpose, shall by any one or more Members of Parliament be set on foot and pursued. Nor can his *Grace* of *Canterbury*, who pretends to have so great an Influence, (as he doth) on the Dissolving and Calling of Parliaments, as well as of precluding some from being, and of preferring others to be Chosen Members of the House of Commons, be without an Interest in diverse great men, for the preparing, introducing and carrying on of such a Bill. However as to my own part, I have for the honour of our Religion, the credit of the Kingdom, and for the relief of poor Ministers of the Gospel, who if they be not ready to starve, do at best live precariously, contributed thereunto all that I can, by suggesting what I have said. And considering what provocation most of our *Bishops*, and many of our *Superiour Clergy*, have made it a part of their Function of late to give to the *House of Commons*, to whom alone both the *Right* of *Granting Money*, and of *Appointing* in what ways and by what means it shall be *Raised*, doth not only originally, but peculiarly belong; I say, that considering this, it is very likely, that their falling in with the *Proposal* I have ventur'd to make, would be the wisest thing they are capable of doing, for preventing that Storm from overtaking them, to which, by their indiscretion in meddling as well with things that did not belong to them, as from which they are precluded by a *Vote* of that *House*, they have made themselves justly obnoxious. Especially if they will likewise observe, that as 250025 *l.* 3 *s.* 10 *d.* which the *Tenths* and *First Fruits* do by the new *Valuation* yearly amount unto, above what they did arise unto by the old, and that the being *Appropriated* by an *Act* of Parliament for the *Borrowing Money* upon it, will make a *Fund* for the payment either of a perpetual Interest, or untill such time as the *Principal* shall be Repaid, for a much larger Summ, than was ever Granted to the Crown in and for one year; so it is not altogether unworthy of being Remark'd, that if the foremention'd *Annual Product* of 250025 *l.* 3 *s.* 10 *d.* should not be sufficient for

Raising

Raising so much *Money* upon, as will be *Needful* for the *Support* of the *War*, into which our *Clergy* are more *Zealous* than others to have us immediately *Embarque*, that there may be found away of encreasing it, by a *Newer Valuation* of *Church Livings*, (than what hath been already made) and which the old *Act* of 26 *Hen.* 8. gives the *King* a *Power* from time to time to make.

And as this is the *First* thing I had to *Reply* unto, or rather to offer by way of *Reflection* on the foresaid *Accusation* of the *Bishop* of *St. David's*, for allowing *Powel* only 25 *l.* per *Ann.* for being his *Curate* at *Burrough-Green*; so should it be misconstru'd beyond what is intended, as to be thought designed to affect some *People* in their *Copy-hold*, and *Secular Interest*, more than they do conceive will be for their *Profit* and *Advantage*; I have this to say in way of *Apology* and *Justification*, that it lay so fair in my way, that I could not without great *Supinefs* omit it, and that they have none to complain of but themselves, for obliging me to it. And it is neither accounted *Illegal*, nor a breach of the *Laws* of *Civility* in this *Kingdom*, for one that always wears a *Sword* about him, to *Draw* upon those who lift *Canes* against him, and if they have been so *Brutal* as to *Strike* with them, to return *Stabs* for their *Blows*. My meaning is, that those *Banditi* who *Unite* and *Combine* to *Plunder* such as are *Innocent* and *Virtuous* of their *Credit* and *Reputations*, are to be no less vigorously pursu'd, nor more gently dealt with, than common *Padders* are, who *Rob* upon the *Roads* of *Traffick* and *Commerce*. And had some *People* remember'd the *Spanish Proverb*, *That they who dwell in Houses of Glass, ought not to be the first at Throwing of Stones*; They would have been more temperate and sparing in their *Publickly Aspersing* and *Defaming* of others, than they have given *Proof* of lately to the *World*. But to proceed to the other *Answers*, which I have in readiness to give to the foregoing *Accusation*; wherein I shall endeavour to be very brief, and thereby to make a *Compensation* to the *Reader* for my *prolixity* in that which hath been already offer'd. The *Second Reply* that I am therefore to make, is, That as over and above the 25 *l.* per *Ann.* which the *Bishop* of *St. David's* gave *Powel*, he did also allow him both all the *Easter Reck'nings*, and the *Surplice Fees*, which made the place more valuable unto him, than any one of half the *Ecclesiastical*

*Living*s in *England* would have been; so the above 25 *l. per Ann.* which the *Bishop* had undertaken to Pay him, was the giving *Powel* more for performing the Offices of that one single *Curacy*, than the said *Powel* had receiv'd for serving of the Two *Curacies* of *Amroth* and *Crunwars*, in the County of *Pembroke*, where he had Officiated previously to his having been sent by the *Bishop* to *Burrough-Green*. Nor is *Lewis* to be imagin'd to have been so careless of his *Worldly* concerns, as to have left the two former, for the latter one, but that he found he was to mend his *Temporal* condition by it So that tho' the *Bishop* gave him but 25 *l. per Ann.* Yet instead of *Powel's* being thereby wrong'd or injur'd, he was benefited, and had a special favour therein done him. Indeed could *Powel* have truly Deposed upon Oath, that the *Bishop* having promised to give him 25 *l. per annum*, had never paid him *Fifteen or Twenty*, he had then and thereby Charged him with great Injustice; but his *Lordship* having by *Powel's* own acknowledgment, paid him to the utmost Farthing what he undertook to give him, there was no room left for a criminal Accusation of the *Bishop*, and the raising one upon that score and foot, doth only shew the inveterate *Malice*, and the weak but violent *Revenge* of those concern'd in the *Process* against that *Prelate*. For as it hath been always received for a common *Maxim*, that *volenti non fit injuria*. Whatsoever a person doth voluntarily consent and agree unto, in reference to a matter that is fully in and under his own Power. That therein there is no place remaining for complaining of an others injustice, but only of his own indiscretion; So I will take the freedom to say, that should *Transactions* of that kind be admitted to be brought under a *Criminal Process*, there would not only be a Door open'd for innumerable Accusations, but the *Kingdom* of *England* with reference to its *Judicial Courts*, would justly become the Subject of the *Lampoon* and *Ridicule* of the *World*. Which I do believe, there will never be occasion administred for, in that those venerable Persons who Fill the Benches of *Westminster-Hall* (and from whose *Judicial* proceedings, the Nations about us do Form their Opinions of the Wisdom and Equity manifested in *England*, in the Exercise of *Judicature*) do act with more *Impartiality*, *Prudence* and *Justice* in all the Causes that come before them, than the Great man at *Lambeth*, and the Majority of those who were *Assessors* unto him in the Case of the *Bishop* of *St. David's*,

are

are found to to have therein shew'd and Exerted. Whereunto in way of a further *Reply* to the foremention'd *Accusation*, may be 3dly, added, that much about the time or very little before the *Bishop's* having contracted with *Powel* for 25 l. per *Annum* to be his *Curate* at *Burrough Green*, how that the said *Powel* had offer'd to be *Curate* to *Edmond Meyrick* for 12 l. or at most for 16 l. by the year. For as *Meyrick* himself confesseth, ^{The Promoters 28.} that *Powel* came to him to desire to be *Imploy'd* as his *Curate*; So had the *Bishop* been admitted to have brought into proof either at *Lambeth*, or before the *Delegates*, what he had to alledge in his own vindication from what he was *Accused* of in reference to *Powel*, he both could, and would have fully proved, that the said *Powel* had offer'd to have served *Meyrick* in the foresaid Station, for the Salary which I have mention'd. Nor indeed did *Meyrick* use to give any greater *Annual* allowance to those whom he *Imploy'd* as his *Curates*; and thereof no better evidence need be assigned, than that the *Bishop* had given *Meyrick* *Admonition* upon it, as being therein and by, *Guilty* of a very scandalous offence. So that *Meyrick* thro being one of the *Conspirators* for getting the *Bishop* accused of Giving no more than 25 l. per annum. to *Powel* for the being his *Curate* at *Burrough Green*, is guilty of a worse Crime than what the *Satyrical Poet* so justly and severely Reflects upon, when he says,

Clodius accusat machos, Catilina Cathegum.

Furon.

But I have still to subjoyn as a *Fourth Answer* to the fore-said *Accusation*, that the *Bishop* in Giving 25 l. per *Annum*. to *Powel*, for undertaking to be his *Curate* at *Burrough Green*, did therein allow him the same Salary, for which *Dr. Harrison* prebend of *Ely* had served in the same Station before as *Lewis's* predecessor. And as it could be no *Injustice* in the *Bishop* to Give, nor any *Disparagment* for *Powel*, to receive, no more, than what a person of *Dr. Harrison's* Figure and Merit had been contented with; So it may with great probability be said, that, the *Bishop*, after the having deducted the 500 l. which he had laid out in *Building* the *Parsonage House*, and in *Planting* about it, was not very likely in a considerable time to be any great Gainer from and by that *Parsonage*. To which I may further annex as a *Fifth Reply* to the foregoing *Accusation*, that the *Curacy* of *Milden Hall* in the County of *Suffolk*, whither

See his
Answer to
Interrog.
10. July
1695.

Powel went, when he left *Burrough Green*, and where he still continues to serve as a *Curate*, is not worth more *Annually* unto him, than what the *Bishop* gave and allow'd him. And therefore as he himself hath Confessed and Deposed upon Oath, that the reason why he left *Burrough Green* and went to *Milden Hall*, was not because he had had so little given him yearly at the former, and was to have so much more paid him annually at the latter, but because he had heard that the *Bishop* intended to discharge and dismiss him. Whereunto I might yet more-over finally add as a *Sixth Reply* to the foremention'd *Accusation*, that there are many *Curates* in *England*, and especially in *Wales*, to whom the *Parsons* and *Incumbents* who Employ them, do not allow so much *per annum*, as the *Bishop* of *St. David's* gave to *Thomas Powel* for the being his *Curate* at *Burrough Green*. But that being too invidious a Subject to enlarge upon, and there being few of any great acquaintance among our *Dignified Ecclesiasticks* and our *Superiour Clergy*, and *Pluralists*, who need the being informed of it, I shall therefore leave it with the bare intimation that I have given. And the rather, because as I would not be of the number of the *Delatores*, whose business it is to find out, and to inform of persons, who may either be made liable to Reproofs and Admonitions, or against whom a Criminal process may be Commenced; so I would be loath to be the publisher of that to the World, which would be both an *Infamy* upon the *Church of England*, and a *Reproach* to the *Kingdom*. So that having finished all that I do think fit to be Replied to the *Fifth Accusation* muster'd up against the *Bishop* of *St. David's* by the *Author* of the *Summary View*, I think that upon the review of the whole, I may modestly say, that a great deal of the matter of the *Process* against that *Prelate* is an *Original*, and of the *First Impression*; and that he was criminally *Articulated* against upon several particulars, which our *Laws* do neither make punishable offences, nor admit the *Smutting* and *Blasting* of a *Bishop's Reputation* because of them. But whether it do proceed from 'its being a Part of the *Episcopal Office* to *Expound the Divine Law*, that they *Claim* such a *Power* over *Civil, Canon, and Common Laws*, as to make them serve the designs they have a mind to promote, and to become *Ministerial* to their *Piques* and *Revenge*s, I will not Affirm; however I will take the Liberty to say in Reference to too many *Spiritual Persons* challenging a

Juridical power, more than of any others, Regi Leges, non Regere, that they Govern the Laws, instead of being Govern'd by them : Liv. Lib. 10.
 and as he said, *ὅτι οὐκ ἔστιν ὡς νόμοι, ἀλλὰ καὶ τῶν νόμων ἀρχόν;*
that they do not Rule by the Laws, but over-Rule them. Plutar. in
 And indeed much of the Procedure against the Bishop of St. David's seems to me to bear a resemblance, to two odd
 Instances of the perversion of Justice among the Romans, where-
 of the one was in the Case of a Daughter of *Sejanus*, who
 when thro being a Virgin, could not criminally be put to
 death, a carnifice *laqueum juxta compressam*, they caus'd the Ex- Tacit. An-
 ecutioner first to deflower her, and then to Execute her; and the nal. Lib.
 other was in the case of a Youth, whom when the De- 5.
cemini by reason of his Infancy could not destroy, they
 Order'd the *Toga Virilis*, which was the Badge of arri- Liv.
 val at Manhood to be put upon him, and then had him
 cut off: So it having been Resolved that the Bishop of St.
David's should be Disgrac'd and Ruin'd; it became necessary
 in order to the better covering, or at least the palliating
 the Severity and Injustice of the Sentence, which some Peo-
 ple had decreed to pronounce against him, that those things
 should be made heinous Offences, and worthy of deprivation,
 which no Laws had ever declar'd to be such.

But to advance to the *Sixth Accusation*, under the Head of
Offences of many kinds, by which I find the Bishop of St. Da-
vid's Aspersed by the Writer of the *Summary View*, &c. Name-
 ly, That his Lordship having very many Preferments in his own p. 9. 10.
Gift, had thereby advantages against the Promoter in this Cause;
 and how he manag'd himself by means thereof, in the discouraging
 and taking off of Witnesses, that Author endeavoureth to Prove
 by three several Instances. Which before I enter upon the
 particular Examination of, or do proceed to the calling him
 to an Account, in reference to those Individual Persons, whom
 he produceth for the support of his Accusation; I shall Pre-
 mise Three or Four things, which shall be in the nature of a
 General Answer and Reply to that Invidious and Calumnious
 charge. Whereof the First shall be this, That I do the less
 wonder, that the Author of the *Summary View*, should suspect
 the Bishop of St. David's to be capable of being Guilty of
 such a thing, in that the said Writer doth so well know, after
 what manner of Rudeness, Menace, Oppression and Barbarity,
 some other Bishops who are his very right Reverend Fathers in
 God,

God, and singular Patrons, do treat those, even of the most Learned and Worthy among their Clergy, who but dare either to Contradict them in any of their Dogmatical Dictates, or to differ from them in their little and narrow Politicks, and especially if they shall venture to speak in the least Diminutively of them. And of that, I who am not so Conversant with and among the present *Topping* and Ruling *Bishops*, nor so well acquainted (as I believe that *Author* to be) with the Language, in which they use to entertain those of the *Sacred Function*, who presume either to differ from, or to displease them in any thing, could give him both many and very astonishing examples; but that for the avoiding the drawing this Discourse to too great a length, I shall content my self with refreshing his memory with *one* or *two*, and both relating to the Moral and Civil behaviour of one *Prelate*. Whereof the *First* shall be gather'd from a *Dialogue* that pass'd between the present *Bishop* of *Salisbury* and *Dr. Beach* 4 Sept. 1690. For the said *Doctor* being one who thought he had reason to forbear the falling into all the Sentiments, and the running into all measures of the said *Bishop*, and having withall refused to tell his *Lordship*, whether he had taken the *Oaths* to the present *Government*, which he was not then and there oblig'd by any *Law* or *Canon* to do; thereupon the foremention'd *Bishop*, without any other Provocation whatsoever given unto him, (the *Doctor* being a Person of singular Piety, and of very great Learning, and extremely Conscientious, strict and regular in performing all the Offices and Duties of a Priest of the Church of *England*, which I am loath to say, was his chiefest Crime) the *Bishop* thereupon did not only threaten to Prosecute him to the utmost extremity, and neither to shew him *Mercy* nor *Justice*; but he also upbraided him for being a *Haughty* and *Insolent Man*, and that he would believe no one word he said, menacing to Excommunicate him, and to give Institution to an other into his *Living*, and that he would shew more *Mercy* to a *Popish Priest*, than to him, or to any of the *Deprived English Clergy*, and that as he hop'd before Christmas 1691. to see none of them left in the Kingdom, so he was resolv'd to make him an Example, &c. In relation to which inhumane, as well as ungentile behaviour of the said *Bishop* to the foremention'd *Doctor*, all I will now say is, that as nothing Parallel, or of Alliance unto it, either hath, or can be charg'd upon

Discourses
occasion'd
by Funeral
Serm. p.
15. and
Append.
iBid. N.
3.

upon the *Bishop* of *St. David's* towards the meanest, and the very most disrespectful and ungrateful of his *Clergy*, so it is not likely that the *Author* of the *Summary View*, would have supposed him capable of being guilty of that, with which he chargeth him towards those that had offended him, but that he knew it practis'd by others of the *Episcopal Order*, towards such of whom they entertain'd that opinion; and that being to *Draw* the *Picture* of the *Bishop* of *St. David's*, he might very Lawfully *Copy* it from such *Famous Originals*, or at least put some *Lines* and *Strokes* into it, which he had noted and observed in the *Faces* of other *Prelates*: Some may possibly wonder, that after my having reported some part of the *Unchristian*, as well as *Ungentleman Language*, used by that *Bishop* to *Dr. Beach*, I should omit taking notice of the Complaint of the *Poet*, *Tanta animis caelestibus ira*; but I must say, (even tho' I have Quoted it) that I think there is a certain reason, why it is not very applicable to him. And as for the *Second Example* of the like behaviour of the same *Bishop*, which I promis'd to give; tho' it was not to one actually in *Sacred Orders*, yet it was not only to a *Student* of *Divinity*, and who was a *Candidate* for, and had designed to *Enter* into the *Ministry*, but it was exercis'd upon *Motives*, that will give both an odd, and a very surprizing *Idea* of that *Bishop*. The *Story* whereof in short is this, That a certain *Young Gentleman* of the *Scots Nation*, and of his own *Name* (being call'd *Burnet*) who is said to be one of the most promising and hopeful, with respect to the *Advancements* he had made, and was farther likely to make, in all parts of *Learning*, of any whom that *Kingdom* had produced in a great while, being in his *Principles* for *Episcopacy*, and wholly averse to the taking *Preferment* in a *Church*, where *Bishops* are laid aside as *Limbs* of *Antichrist*, and that thereupon having left his *Native Country*, and come hither in expectation of being *Receiv'd* and *Encourag'd*; and in order thereunto having *Addressed* his *Country-man* and *Namesake* the *Bishop* of *Salisbury*, (to whom also he had been recommended by *Letters*) for his *Lordship's* *Favour* and *Assistance*: How that the said *Bishop*, instead of *Treating* him *Civilly*, and much less of promising to *Countenance* him, did not only most opprobriously *Reproach* him for declining to settle in a *Church* whence *Episcopacy* was *Banish'd*, and where the *Tune* begun of *Swearing* to *Extirpate* it

Reos

Root and Branch, but the said *Bishop* likewise positively Enjoyned him to go home, and thankfully to sit down under the *Presbyterian Government* (which he withall singularly Commended and praised) which was there Establish'd. At which the young Gentleman becoming strangely amazed, in that he found a *Bishop* of the *Church of England* *prevaricate* so egregiously in reference to his avowed *Principles*, as to shew himself a zealous *Advocate* for, and a great *Patron* of *Presbitery*; and withall finding that there were no hopes left him of obtaining *Preferment* unless he would be false to his own Conscience and *Renounce Episcopacy*, which he was resolved not to do, whatsoever the prospects of Gain might be upon the one hand, or the apprehensions of want and penury on the other. However which was worse, and which I add with sorrow, the young man begun thereupon to entertain an ill opinion of the very *Protestant Religion*, and grew Tempted to think, that we were no more sincere in the *Belief* of the *Articles of Faith*, wherein we pretend to Differ from the *Church of Rome*, than he experienced some to be in these *Disciplinary Points* and *Doctrines*, wherein by *Oaths* and *Subscriptions* they have declared themselves to differ from the *Churches* of *Scotland* and of *Geneva*. And in consequence hereof, he most unfortunately fell under the Power of the Temptation of *Abjuring* the *Protestant Religion*, and of *Going over* to the *Church of Rome*, which he accordingly did, and is now among the *Jesuits* at *St. Omers*. From whence as it is too probable that we may hear from himself in time, and that in a way which will neither be for the honour of the foremention'd *Prelate*, nor for the *Credit* of our *Religion*; so I doubt not but that the *Jesuits* are very sensible of the kindness done them by this *Bishop*, in being, if not the Cause at least the occasion of their acquiring such a *Proselite*. And whether the many *prevarications* in his pretended *Exposition* of, and *Paraphrase* upon our 39 *Articles*, may not be a means of helping them to more *Apostates* from our *Religion*; and *Converts* to the *Romish*, must be left to future discovery; tho' I can not omit suggesting my Fears, that that *Book* of the said *Bishop* is no less calculated to do us a mischief of that kind; than the *Letters* he writ to Mr. *Papin* were, wherein the *Licentiousness*, as well as the *Latitude* of *Belief* for which he pleads, is turned into a pretence by the said *Papin* for his going into the *Church of Rome*, and as he phrazeth it, to avoid

avoid the Scepticism, which these *Letters* directly led into, by SeeDapin's taking *Sanctuary* in the *Authority* of the *Romish Church*. But *laTolerance* it is high time to proceed to what I am to *promise* in the *de Prote-*
Second place, in the way of a general *Answer* to the foremen-
tion'd Accusation and *Charge*. And that shall be this, namely, *stants. p.*
 that the *Advantages* which the *Bishop* is supposed to have had, *410, 414,*
 for discouraging and taking off the *Witnesses*, which were to *419, 420,*
 have been produced against him, bore no proportion to the *421, 422.*
Advantages which the *promoter* had in procuring such to be *P. 86.*
Witnesses, who should be ready to swear whatsoever he had a
 mind they should, nor were the means used by the *Bishop* for
 preventing mens Calumniating him, of any resemblance to the
 ways taken and pursued by the *Promoter* for the proving him
 guilty of the offences, with which he had defamed him. For
 how little was the *Bishop's* Authority and how weak and nar-
 row his Interest; either to deterr men from deposing against
 him, or to give them hopes that the declining to do it would
 turn to their profit and advantage in comparison of the
 power of *Arch-Bishop Tillotson*, and of *Arch-Bishop Tennison*,
 and the many opportunities, and the vast means, which their
Graces, and his Lordship's many other Enemies, stood fur-
 nished with, and possessed of, for the Rewarding of those,
 who should shew themselves zealous in Informing against
 him. For not to insist upon his being Branded for a *Jacobite*,
 and that some of the chief Crimes with which he was calum-
 niated, were the omitting to Require the Oath's appointed to be ta-
 ken to the Government; and that he was an Enemy to King
William, and he not only often omitted to pray for him; but Drunk
 to his being Dethron'd; for no less than that is imported in his
 drinking to the Restoration of the Late King James, with which
 he hath been aspersed; all which Reproaches upon him, as
 well as many more of that kind, may be very reasonably ac-
 counted proper and effectual means both for the tempting such
 as were either Mercenary, or who thought they could never
 testify Hatred and Wrath enough against those conceiv'd Dis-
 affected to the present Establishment, to list themselves Wit-
 nesses for the getting so Disloyal a Man, as the *Bishop* was
 represented to be, Punished; and also for the frightening hon-
 est, but timorous Persons, from venturing to appear for him,
 tho they knew him Innocent of, and could have Vindicated
 him from the Crimes, whereof he was Accused. Nor do
 there

there want Examples, even in this Kingdom, where pretences of providing for the safety of Princes on the Throne, and for the Security of Governments then in being, have prov'd sufficient and effectual methods for Procuring and Mustering up Troops of Witnesses, to the Swearing the most Criminal things imaginable against those, of whose being Guilty of any Fact, that was Legally Punishable, they knew nothing. And as in these cases, and where Persons stand thus

Tacit. Calumniated, *Sive bene sive male facta premunt, Whatsoever they*
Hist. Lib. say or do, whether it be Good, or whether it be Evil, is pervert-
 1. *ed and applied to their Prejudice; so their Enemies in the want*

Id. Annal. fingere, securi de facilitate credentis, Boldly invent, being as it
 Lib. 16. *were assured, that they shall be believed in whatsoever they say.*

And as it was from and thro' a belief of these things, and by reason of the Pique, Hatred and Revenge conceived against the Bishop of St. David's on those accounts, that the Metropolitan, and diverse of the Comprovincials who were Assessors unto him in the Process against that Prelate, became influenc'd and hurried to Act with so much Severity towards him, when they proceeded so gently against the Bishop of St. Asaph (as I have said before) whose Crimes were not only more Scandalous and Heynous, than those were with which he stood charged, but fully and evidently proved, which those against the Bishop of St. David's never were; so we may very reasonably conclude, that most of the Witnesses who appear'd against him, were both drawn in and sway'd, and made Peevish, Angry and Revengeful in their Depositions, upon and because of the same Inducements and Motives. Moreover we have already shew'd and prov'd beyond possibility of being rationally contradicted, by what Promises of Rewards and Preferments, as well as by whom propos'd and made, diverse were Gain'd, Bribe'd and Suborn'd, to come in and appear as Witnesses against the Bishop of St. David's. And how that such, who could not be prevail'd upon by Flatteries, Carresses, and Assurances given them, either of receiving Recompences in Money, or of being Collated to Church Livings, provided they would Inform against the Bishop, were Menaced and Threatned, in order to the Frightning them to do it. For as Self-Love and Self-Fear, are the two Wards in the Locks of Mens Souls, by the framing of Keys unto which, and the

the skilful and artful *Turning* them, most People become
 biaz'd and determin'd unto whatsoever they do; so it hath
 been already evidently demonstrated, that all the ways and
 methods imaginable, were taken and pursu'd for the working
 upon the *Love and Fear*, which Men *have of*, and *preserve them-*
selves, in order to the gaining them to *Depose as Witnesses* against
 the *Bishop of St. David's*. But to *Reply* farther in general to
 the foregoing *Accusation*, I do *Thirdly* say, That the *Bishop's*
 Rebuking of Persons, for having Causelessly and Unjustly de-
 famed him, was so far from being a Fault, that to have o-
 mitted it, would have been to have neglected the Duty of an
Honest and Innocent Man, and much more to have been wanting
 in the discharge of the Office of a *Christian Bishop*. For if it
 be incumbent upon every one, in any wise to *Rebuke his Of-*
fending Brother, and not to *suffer Sin upon him*; and that if one
 Transgress against an other, he to whom he hath been Inju-
 rious, *shall Rebuke him*, in order to the bringing him to Repen-
 tance, and the preparing him to become thereby a meet sub-
 ject for Forgiveness; much more are these required as Duties
 in a *Bishop*. Nor will the *Author* of the *Summary View* dare
 (I hope) to charge it as an Offence upon our *Lord Jesus Christ*,
 that knowing *Judas* to have *Betray'd* him, he not only pro-
 nounced a woe against him, saying, *Wo to that Man by whom*
the Son of Man is Betray'd; but he farther told him, as well
 as the rest of the *Disciples*, that it had been better for him never
 to have been Born, than to have been guilty of so great a Wick-
 edness. Surely this Impertinent *Writer* could not expect, that
 the *Bishop* should have commended those, who had Maliciously
 and Falsely Accused him? And that instead of Rebuking them
 for their Defamations, he should have praised them for the
 having Perjur'd themselves in Swearing to Invented and Forged
 Crimes against him. For if it was a Dishonour to in Pagan
 Emperor *Tiberius*, to be so far *Contemptor sua fama*, *Regardless*
 of his *Dignity and Credit*, as not to care what was thought or
 said of him; it would have been much more dishonorable for
 a *Christian Bishop* to be so. Nor (thanks be to God) after
 all the Licentiousness of *Libelling* not only the greatest and
 best men of the Kingdom, but our very *Constitution* too, which
 hath been of late so much encourag'd as well as conniv'd at,
 are we yet either reduced, or in danger of being so, to the
 miserable condition of abandoning our own just Defence and

Levit. 19.
17.

Luke. 17.

Mark. 14.

Tacit. An.
nal. Lib.

6.

Tacit. *Annal.*
Lib. 3.

Id. Annal.
Lib. 4.

Vindication. Neither need we to fear the falling into such an Estate, as that being forced to say *quatenous Conspiracione Inimicorum, et invidia falsi criminis, verituti et innocentia nusquam locus est*, that seeing because of the Combination and Conspiracy of our Enemies, and by reason of our being aspersed and calumniated with Forged Crimes, there is neither room left for asserting the Truth, nor for Justifying our Innocency; we will therefore adulatione querere remedium, seek to relieve and secure our selves by praising of our Adversaries and by writing panegyricks on those who falsely accuse us of Scandalous and punishable Offences. But finally by way of a Fourth General Reply to the foremention'd Accusation, I do say that the Bishop is no ways to be blamed, either for excluding those from his familiarity and friendship, or for denying them the Courtesies which they had the impudence to demand whom he knew, and could likewise prove by others, to have wilfully perjur'd themselves, in order to disgrace him, and to do him a mischief. For tho it be the the Duty of every good man both to pray for his Enemies, that they may repent of the evils they have done him, and to pardon them in Case they do; yet no one is bound to reward and prefer another, because of his having defam'd, and endeavour'd to ruine him. And in my opinion, the Author of the *Summary View*, might have held himself satisfied, that diverse of the *Witnesses* against the Bishop of St. David's, have been so liberally paid and recompenced for their *Depositions* by those, who fought the getting that *Prelate* charged with offences, by reason whereof they might have a pretence administered unto them, of wrecking their malice and revenge upon him; and he ought not to have made it the Ground of further reproaching and aspersing of the said Bishop, that he had not made it his business to bestow Ecclesiastical Benefices on those, who had become unjustly and wrongfully *Informers*, for the getting him degraded from his *Dignity*, and turn'd out of his *Bishoprick*. So that the foregoing criminal Reflection of the Author of the *Summary View*, upon the Bishop seemeth to me to bear the greatest resemblance imaginable to the Insolence Effrontery of C. Fimbria in his accusing of Scavola. For Fimbria having at the Funeral of C. Marius endeavour'd to have killed Scavola and having then actually wounded him, had not only the impudence on Scavola's recovery of his wound, publickly to accuse him, and to have him brought as

a Criminal, judicially before the People, but being ask'd what he had to say against so Innocent, Vertuous, and Worthy a Man, durst assume the Insolence of answering, *quod parcius te-* Valer.
leum corpore recepiſt et, That it was becauſe of his not having Max. Lib.
 receiv'd the Thruff of the Weapon ſo fully into his Body, as
 to be Kill'd and Murder'd by it.

So that having ſaid whatſoever I thought either needful, or convenient to be Replied in General, to the foregoing Accuſation faſtned on the Biſhop, I am now to proceed to the Conſideration of the ſeveral Inſtances, brought in proof of them by the Author of the Summary View. Whereof the Firſt is, That one James Harris, a Witneſs produced by the Promoter, hath Sworn, That when he was Ordained, neither the Biſhop, nor any other Perſon, did adminiſter to him the Oaths by Law required; though it was certified in his Orders, under the Biſhop's Hand and Episcopical Seal, That he the ſaid Harris, had taken the Oaths in that Behalf, neceſſary and required. And how that thereupon, this Harris, after his Examination in July, 1697, waited on the Biſhop, to de- Summary View, p.
 ſire a License to ſerve the Cure of Trallong, carrying a Certificate 8, 9.
 with him from the Pariſhoners, That he had Serv'd them Two or Three Years before, to their Content; but that the Biſhop would not admit him into his Preſence, until he ſhould give ſomething under his Hand, to ſhew his Sorrow for what he had Depoſed as aforeſaid. And that he the ſaid Harris, having waited on the Biſhop Twice afterwards, to pray his License for Serving the ſoreſaid Cure, the Biſhop ſtill inſiſted, That he would have him own his Miſtake in what he had Depoſed; but that he not only reſuſing to do it, but withal, telling his Lordſhip, That his Depoſition was true: The Biſhop thereupon grew Angry, and having ſaid that Harris had made him a Liar, he both called him Impudent Fellow, and Forbid him either to Officiate in the Cure, or to Teach School. All which, as I ſhall endeavour carefully to examine; ſo I hope to give thoſe Anſwers unto, and make ſuch Reflections upon what is from Harris's Teſtimony here charged upon the Biſhop, that if I do not very much miſtake, the Writer of the Summary View, may come to wiſh, he had never heard of Harris; and more eſpecially, that he had never made uſe of his Information. And therefore, what I have in the Firſt place to offer by way of Answer, and to propoſe in the nature of a Reflection, is, (that when we come hereafter, to call this Writer to an Account about the *Crimen falſi*, whereof the Biſhop was accuſed) it
 ſhall

shall then be demonstratively proved, that *Harris* did plainly, and directly *For swear* and *Perjure* himself in Depositing, That when he was Ordained, neither the Bishop, nor any other Person, administered to him the Oaths by Law required. But though I be thereupon, obliged to adjourn untill then, most I have to produce in confirmation thereof; yet I cannot at present, omit the mentioning of one thing, which is of it self alone, sufficient to prove beyond all Possibility of Excuse, or Evasion, That he Perjur'd himself in the making of that Deposition. And that is, that he did, and hath therein, directly, and in express Terms, Contradicted himself. So that unless the Two Parts of a Contradiction can be reconciled to one another, and made at the same time to be equally True, it will be impossible, either to cover, or to vindicate this *James Harris*, from Perjury. For whereas he has in one Part of his Deposition positively Sworn, That neither the Bishop, nor any other Person, did Administer to him the Oaths by Law required; he doth in an other part of it Swear with the same positiveness, that there was at his Ordination an Oath Written in Scripts of Paper administered unto him, but in which the Names of King William and Queen Mary were not. For as it is most certain that the Oath of Supremacy is not only one of the Oaths requir'd to be taken at those times of those who are to enter into Holy Order, but that it is the only Oath that can be Regularly and Legally Administered in the Office of Ordination; in that the other appointed to be given to such Persons, which is the Oath of Allegiance, being Enacted to be Taken in Court, and therefore not Administable Regularly to any on a Sunday, or the Lord's-day (which was the day of the Ordination) as not being *Dies Juridicus*, or a Law day; so I shall need to say no more in Proof that the Names of King William and Queen Mary, were not in the said Oath of Supremacy, but barely to repeat it. Whereof, by the Act since the Revolution, for Establishing the New Oaths, both the Tenor and Words are as do here follow. Namely, I A. B. do Swear, that I do from my heart abhor, detest, and abjure, as Impious and Heretical, that damnable Doctrine and position, that Princes Excommunicated, or depriv'd by the Pope, or any other Authority of the See of Rome, may be Deposed or Murder'd by their Subjects or any other whatsoever, &c. To which is subjoyn'd the Declaration, viz. That I do Declare, that no Foreign Prince, Person, Prelate, State or Potentate, hath, or ought to have any any Jurisdiction,

Promot.

II. Witr.

Answ. to

Interrog.

diction, Power or Superiority, Preheminence, or Authority, Ecclesiastical or Spiritual within this Realm; so help me God. Nor doth the said Oath of Supremacy, in this New Edition and Establishment of it, differ in this particular from what it was before, (tho' in some Phrazes and Expressions it be somewhat abridged and made shorter) in that never any of our Kings were mention'd in it formerly by Name. And then as for the Oath of Allegiance, tho' the Bishop did not Administer it to such as were to be admitted into Orders in the Office of Ordination, as well for the reason I have already given, as because he had been otherwise advised and directed by that Learned Judge the late Sir John Powel; yet he never omitted the Administring it to every such Person in Court the day before. Whereof (tho' it may seem an anticipating of what I have further to say, when I come to Examine what is alledged by the Author of the Summary View in reference to the *Crimen Falsi*, of which the Bishop is accused) I shall here offer one proof and Confirmation, by presenting the Reader with a Certificate of a very upright and credible person one Richard Davies Clerk, (who was ordain'd at the same time with the aforesaid James Harris) given under his hand 22 Apr. 1701. before John Lewis Esq; a Justice of the Peace and Deputy Lieutenant for the County of Cardigan; and before Ch. Price Rector of Lanarth; and Samuel Williams Vicar of Llandegrig; and Walter Jenkins; who do all Subscribe unto the authentickness of it, and attest it as Witnesses. Which Certificate is in the Words following. viz. *This is to Certify whom it may concern, that I Richard Davies Clerk, together with William Herbert, and James Harris, and others, were Ordained by Thomas Lord Bishop of St. David's in the Chapel of St. John Baptist in Abergwilly the 24th of Sept. 1693. And that after my Examination in the foregoing Week, I was Required to take the Oath of Allegiance to King William and Queen Mary in these words following, (Which by the way, are the very words it is Ordained to be taken in by the new Act) viz. I Richard Davies do sincerely promise and Swear, that I will be faithful and bear true Allegiance to their Majesties King William and Queen Mary.* Whereunto in the said Certificate he further adds, that having taken the Oath of Allegiance the 23d. of September aforesaid, how that upon the Ordination Sunday, which was the 24th of the same Month, He the said Richard Davies, together with the said William Herbert, James Harris,

and

and others, did within the time or Office of Ordination take the Oath of Supremacy, as Enjoyed by an Act of Parliament made in the sixth year of King William, and Queen Mary, the same having been tendered unto them upon a Script of Paper &c. From all which, as it plainly appears, that Harris hath in his foremention'd Deposition, forsworn and perjur'd himself; so we may from thence also discern the wonderful Effrontery of the Author of the Summary View in daring upon his Testimony to accuse the Bishop of St. David's of having Omitted to Administer the Oaths by Law required to Harris and to those who were Ordained with him. Nor can I here neglect observing, with what Equivocation and Sophistry the said Writer hath both Blackned, and Darkned that whole affair, thro' concealing the Bishop's giving the Oath of Allegiance on the Saturday, wherein the Name of King William was mention'd and the bearing faithful and true Allegiance to him, and to the late Queen, were promised and Sworn, and by taking notice only of the Oath Administer'd in the Office of Ordination on Sunday, which being that of the Supremacy, it was impossible there should have been mention made in it of King William, in that there was no such name there. And tho' I doubt not, but that the said Writer, both greatly valued himself, and was very much esteem'd by his Eminent Patron, for that peice of Deceit and Legerdemain, especially considering the humour and genius of the present Age, wherein more than

Plin. Lib. 8. Epist. ever, decipere, pro moribus temporum, prudentia est, to be skilful in deceiving, is to be accounted wise; yet I shall think him at least, whatsoever I do them, to be a person of a strange Forehead, if upon his being thus detected and exposed, and his finding that *doli non sunt doli, nisi astu colas*, that tricks and artifices lose their credit, unless they be more craftily managed, than they have been by him, he can avoid being asham'd, as well as blushing. But that I may go on, I do say in the Second place, that the Bishop knowing Harris to have Forsworn himself, and being likewise able to have proved it by the Testimonies of very many persons of singular Vertue and Probity, he would have not only acted very unsuitably to his Office and Character, but have made himself a heinous and a wilful Transgressor, should he have granted such a perjur'd Fellow a Licence to Serve a Cure. For how could such a one be held qualified to Officiat at the Altar? Of whom there were many proofs, that he had Forsworn himself at a Bar. And to have

autho.

riz'd such a Person's taking upon him the Conduct, and Cure
 of Souls, would have been in the *Bishop*, to have acted repug-
 nantly to the *Apostolick Rule*, which requireth, That such as
 are admitted to be *Ministers* of the Sacred *Gospel*, be not only
Blameless, Sober, and of Good Behaviour, but that they have a Good 1 Tim. 3.
Report of them which are without, lest otherwise, they fall into Re- 2, 7.
proach. And it doth greatly concern those who are *Bishops*, to
 be the more Careful in this matter, in that the chief *Topick*
 from which the profane Wits of this Age do bring their Sur-
 cusms and Raileries, for the Ridiculing, and Lampooning Re-
 ligion it self, is, That too many stiled *Priests*, and Persons in
Spiritual Orders, instead of being Patterns of Vertue and Piety,
 are but little less Guilty even of some Scandalous Vices, than
 those of the *Laity*. And it is to be feared, That the Immora-
 lities and *Practical Atheism* of such, have too much, both Pa-
 ved the Way, and proved a Temptation to the *Speculative*
Atheism of so many of our Nobility and Gentry, with whom,
 to the Disgrace of this pretended Reformed Kingdom, as well
 as to the Dishonour of Christianity, the Nation aboundeth.
 Yea, they who are *Bishops*, should be the more Strict and In-
 flexible in that matter, in that they who *Dissent* from the *Nati-*
onal Church, are thought therefore to Increase, and Grow the
 more Numerous, because such who take upon them to Preach,
 and to Administer the Ordinances of the Gospel, in those
 Separated (and now Tolerated) Meetings, are Vulgarly be-
 lieved (though in no one thing is the World more Universally,
 and Wofully Mistaken, than in that) to be as well more cir-
 cumspect and Regular in their own Lives, as they are more
 Lowd, if not Zealous, Declaimers against Publick Vices, than
 the Established Clergy are accounted generally to be. Nor in
 my Opinion, could the *Bishop* of St. *David's* forbearing the
 further exerting of his Disciplinary Power, and Episcopal
 Jurisdiction towards, and against *Harris*, than in merely re-
 fusing him a *License to Serve a Cure*, have been easily vindica-
 ble from the being a Fault of too much Remisness in the
 Performance of the Duties which were incumbent upon him,
 as he was a Bishop; But that as his Authority had been not
 only eclipsed, but restrain'd by his *Metropolitan*; so by the
 offering to have carried things further against *Harris*, he
 would have been thought, rather to have pursued his own Re-
 venge, than to have singly, and sincerely intended the punish-
 ing

ing of *Harris* for his Offence and Crime. And that his *Lordship* would have thereupon, become Obnoxious to the Censure fastned on the *Church of Rome*, (and I wish it could be charg'd no where else) That she more severely punisheth them who break in upon her Grandeur and Dignity, than *She* doth those who Live in an avowed Breach of all the Laws of God. However, the *Bishop* of *St. David's*, in allowing *Harris* time from *July* 97, until the *September* following, for the recollecting himself, and further retracting and repenting of his Fault, must be acknowledged to have therein, acted both with great Prudence, and with singular Lenity. But in Answer, *Thirdly*, To the foremention'd Allegation: I do say, That it was not because of *Harris's* having *Deposed* as aforesaid against the *Bishop*, that his *Lordship* denied him a *License* to Serve the *Cure* of *Trallong*; but it was because he the said *Harris*, stood Complain'd of unto, and accused before his *Lordship*, of being Guilty of other very Scandalous Offences. As particularly, That the last Saturday of *July*, 1693, he had been so Drunk, as that he could not Walk; and that on the Fryday following, he had sit up Drinking in an Alehouse in *Languedock*, until after *Midnight*. By reason whereof, however well quallified he might have been for the being a *Priest* in the *Temple of Bacchus*; yet he was in no wise to be admitted to be a *Minister* of the *Gospel*; it being ordained by an *Apostolick Rule*, That whosoever is allowed to be such, shall be one not Given to Wine, i. e. He shall neither bear the Character, nor lie under the Accusation of being a *Tipler* or *Drunkard*, let the Liquor be what it will. But if any would now inquire, Why the *Bishop* did not bring those Scandalous Offences and Crimes into *Proof* against *Harris*, the Answer thereunto is both ready and easie, namely, that his *Lordships's* Motion for it at *Lambeth*, was *Rejected*, until the *Arch-Bishop* had *Concluded* the Cause. It being then and there told him, That neither any *Exceptions* he had to make, nor any *Allegations* he was in a condition to bring, could be admitted or received, until the Cause came to be brought before the *Delegates*. And alas, when that was, even there also, and by them, was that common Justice, by a Majority of Votes, denied unto him. Notwithstanding that my *Lord Chancellor* (as I have said before) had Declared in the *House of Peers*, that the *Bishop* should have Liberty granted unto him by, and before the *Delegates*, *non probata probandi, et non allegata allegandi*. Whereof having already

Allegat.
Given by
the Bp.
27. July,
1696.

1 Tim. 3.
3.

already made mention, and withal bestow'd some Reflections upon it, I shall not therefore here insist upon it again. But shall proceed to the *Second Instance* alledged by the *Writer* of the *Summary View*, in proof of the aforesaid Aspersions and Accusation. And that is That one *John Scurlock* (stiled by that Author, one of the Bishop's own Witnesses) *Sweareth*, That when a certain Person called *William Harris*, came to the *Affizes* at *Carmarthen*, *Anno*, 1697, to prove *Simony* against *Mr. Medley Arch-Deacon* of *St. David's*, how that he the said *Scurlock*, lock'd him up in a Room, and prevented his going to give Evidence for *Mr. Bowen*, the *King's Presentee* to the *Arch-Deaconary* aforesaid, and that for this Service, he the said *Scurlock*, had Thanks given him by the Bishop. Whereunto, before I come to the giving of Particular Answers, I cannot omit, in the way of Premise, observing, how that of all Men whatsoever, in whose Writings it hath been my Fortune to become a little Conversant, this Author is the most unhappy in his Choice of Topicks of Argumentation, and in the pitching upon *Medium's*, for the proof of what he asserts. But whether it proceed from his being naturally a Weak and Impertinent Man, or be the Effect of an accidental Darkness, which his Rage against the Bishop, hath brought upon his Understanding, (*iracundia* being alwise, *inimica concilio*) I will not take upon me to determine; but this I will take the Confidence of affirming, That he is a *Writer*, who neither knows how to distinguish between what is Pertinent, and what is Impertinent, with respect to the Design in which he was embark'd; nor is he able to discern between what would serve him, and what would disserve him. But possibly it is neither from a Defect of Parts, nor from his being under the power and Influence of Pique and Revenge against the Bishop, that he so shamefully trifles with, and so contemptuously Treateth his Readers in the Allegations, which he brings; but that it ariseth from the Scorn which he entertains of the Intellectual and Ethical Endowments of most men, and that Grounded upon the Experience he hath had of the Understandings and Morals of divers of those, before whom the process against the Bishop lay, thro' their admitting the many weak and foolish, as well as false Informations alledged against that Prelate, to be Legal proofs and Irrefragable Evidences. But to proceed to the giving more particular Replies unto, and more distinct Reflections upon, what the Author of the

Summary View, hath inferred from *Scurlock's* Deposition, and charged upon the *Bishop*. And the *First* thing I have to Answer and observe is, that I do not find any thing in the said *Deposition*, whereby it is so much as insinuated, that the *Bishop* did in the least know, what *Scurlock* intended to do for preventing *William Harris* Rector of *Gladeſtry* in the County of *Radner* and Brother to the aforesaid *James Harris*, by Locking him up in a Room, previously to his doing of it. And much less doth it any way appear, nor indeed is it charged upon the *Bishop*, that he should have either advised, or encouraged *Scurlock* thereunto, antecedently to his having done it. So that I cannot understand, how this *Prelate* should come to be criminally affected, by that Fact of *Scurlocks* in hindring *Harris* from appearing to give Evidence at the *Assize* at *Carmarthen* thro' Locking him up in a room. For all the several ways assigned either by *Divines* or *Civilians*, in which one man becometh involved under the Guilt of a Fact perpetrated by another, are either by the having *Commanded*, and *Encouraged* it, and the having formally or at least constructively assisted towards the doing it, or the not having hindered it, when it was both his duty, and in his Power to have done it. From all which ways of accession to that pretended Offence and Crime of *Harris* the *Bishop* being wholly and intirely Innocent, I think it will naturally follow, that this *Writer* by his Accusing the *Bishop* as Guilty of a heinous Fault on that account, doth only shew his Malice, and withal discover his Impertinence, and the want of good Sense. And for my part, I should be inclinable to believe, that the doing thereof by *Scurlock*, was rather in order to the laying a design of disſerving the *Bishop* afterwards, than the performing a service then which he hop'd would be Beneficial to him. For as the *Historian* observes, That *Pessimum Inimicorum genus, laudantes, They who seem to be the most forward in the praising of others, are usually their worst Enemies*; so whensoever I do either find, or hear, that little and mean people (which are for the most part mercenary) are officious in performing services to and for their Superiors which they were neither invited, nor desired to render, I am apt to conclude, that *latet anguis in herba, There is a Snake in the Grass*, and that under the pretence of Serving them, they do merely seek to serve themselves upon them; or which is worse, to make way for serving of their Enemies, by betraying them unto them.

Tacit. in
Vit. Agr.

them. And therefore it is not only said, but laid down for
 a Rule in the *Civil Law*, that *Ille hoc ipso suspectus est, qui* L. 22. D.
operam suam ingerit invito; Whosoever intrudeth himself into bu- de Tutor.
siness, which he is not called unto, is to be suspected of carrying & Curat.
on some design of his own. And in the present case I do plain- L. 25. D.
ly reckon, that Scurlock by the Locking up of Harris, did ei- de procu-
ther thereby intend the spunging of money from the Bishop rat.
 as a recompence and reward for it, or if his *Lordships* In-
 nocency, Integrity and Probity would not allow him to give
 any (as it appeareth he did not) to turn and improve the
 seeming service, which he would be thought to have done
 for the Bishop, into an Advantage and mean of becoming
 reconciled unto, and meriting from his Enemies, by slander-
 ing and defaming of him. Wherein as I shall shew anon, he
 had the luck not to be mistaken, and the fortune to be
 successful. But then I have a further *Answer* to give in the
Second place, which shall particularly relate to what it is
 pretended that *William Harris* (whom *Scurlock* accuseth him-
 self to have lock't up, and thereby to have hindred him from See the
 giving *Evidence* at the *Carmarthen Assizes*, so that *Bowen* neither Bp's ex-1
 could, nor did go on with his *Trial*) had to *Inform* and *Depose* cept. and
 against the Bishop. And my *Reply* thereunto shall be, how that Allegat.
 it was offer'd in proof, that he the said *William Harris*, had se-
 riously said and declared to and before several persons, that he knew
 nothing that was ill of the said Bishop, and that he had nothing to say
 against him. And that indeed he had nothing whereby his
Lordship could become affected with the guilt of any offence or
 Crime whereof to accuse him in reality and truth, is plainly
 demonstrable from hence, namely that *Bowen* hath despaired of
 Reviving that *Suite* since, notwithstanding his having now got-
 ten *Scurlock* to favour him, as well as he had *William Harris* be-
 fore. For his *Lordships* Enemies, even after all their success a-
 gainst him before the *Metropolitan*, are more wise than to bring
 his having *Collated* Mr. *Medley* *Simoniacally* to the *Arch-Deaconry*
 of *St. David's*, to be Tried in our Courts of *Common-Law*,
 tho' they know that the Getting a *Verdict* and Sentence in Con-
 firmation of that, would both immediately dispossess *Medly* of
 that Dignity, and let *Bowen* the King's *Presentee* into it. Nor do
 I blame their Policy and discretion, seeing they can not avoid
 being sensible, that our *Judges* at *Common Law*, are persons both
 of more Knowledge, and of greater Integrity, than to be either
 im-

imposed upon and deluded by false Colours, or perverted by undue Motives, from administering Justice equally and impartially, between all persons, and in all Causes that come before them. However notwithstanding both that *William Harris* knew nothing of the *Bishop that was ill*, and had Declared so much to divers; yet upon his coming to *Carmarthen*, and falling there in to Conversation with *Edmond Meyrick*, and other Enemies in confederacy against the *Bishop*, he was by him and them drawn in and Suborn'd, (as many more had been) to become a witness against his *Diocesan*. But to proceed to a *third Answer*, which shall directly and particularly refer to the *Bishops* having *Thank'd Scurlock*, for his *Locking up of Harris &c.* and I do in way of *Reply* thereunto affirm, that in case the *Bishop did so*, (for which there is no other Evidence, save *Scurlock's* own Testimony alone) he had all the reason imaginable for doing it, without the being rendered thereupon obnoxious, either to Censure, or to any undecent and sinistrous suspicion. Seeing that every man who finds himself prosecuted at Law, notwithstanding the assurance he may be possessed of, both of his own Innocency, and of the Goodness of his Cause, will be glad to be deliver'd from the trouble, and eased from the Expence, which will necessarily attend his defending himself, and ought therefore to be thankful to whosoever (without Villany and Injustice) have contributed towards it. Yea abstracting from that, and the rather because it is probable, that it was not chiefly because thereof, nor on that reason especially, that his *Lordship thank'd Scurlock* for *Locking up of William Harris*; I therefore add that his doing it was justifiable, in that the great motive upon which he *Thank'd* him for so doing, was for his having thereby prevented the aforesaid *Harris* from giving a False Testimony, and hindred him from Perjuring himself. And thereof I do undertake to give hereafter abundant demonstration, namely, that all those were plainly and directly Forsworn, who Deposed to *Medley's* being *Simonically* prefer'd either to the *Arch-Decony* of *St. David's*, or to any other *Ecclesiastical Dignity* whatsoever. And therefore not to insist at this time any further upon this *Reply*, I do proceed to the *Fourth* and Last *Answer* to the fore said Aspersion on the *Bishop*: Which is this, That never any thing was so Weakly and Impertinently Alledged, as that in proof and confirmation of the *Bishop's* great *Advantages* over the *Promoter*, in *Procuring Witnesses* for himself, and in *discouraging* and *drawing of those*, whom the *Promoter* provided against his *Lordship*, he should

should Name, Produce, and give Instance in a *Person*, whom the *Promoter* had gain'd off from being a seeming and pretended *Friend* of the *Bishop's*, to turn his real and professed *Enemy*. So that instead of *Informing* in favour of the *Bishop*, as he had said, he both could, and would do; he became a *Malicious Witness* against him, and *Deposed* (and that withall *Falsely*) in his prejudice. And as this *Scurlock*, by his appearing *first* for the *Bishop*, and *then* against him, without assigning the *cause* why, or the *means* how he had been formerly misled to *Depose* *sinistruously* and *corruptly*; and afterwards enlightned and reformed to the giving an *upright* and *sincere Information*, doth proclaim his having always been, and that he still more and more is, a wretched Man, and a very miscreant; so we have all the assurance and administred unto us thereby, that either wise or honest Men can desire, that it was not thro' any *Unrighteous* methods used by the *Bishop*, that he was *Influenc'd* to act once in his *Lordship's* favour; in that we find nothing of that in the *Deposition* he hath since made to that *Prelates* disadvantage; which we most certainly should (could there have been any colour found for it) as well as we are told of the *Bishop's* having *thank'd* him, for *Locking up* of *Harris*. But tho' this *Prelate*, neither would, nor could be Guilty, of any base or dishonest thing, either for the procuring, or for the preserving *Scurlock* to be his *Friend*; yet we know, who were Guilty of very ill things, for the purchasing of this *Scurlock* to be the *Bishop's* *Enemy*. Nor can any wise or honest Man believe, that after what *Scurlock* had both said, and write, of what he could and would *Depose* in the *Bishop's* behalf; he should so soon alter his *Tone*, and change his *Story*, as without the being *Brib'd* as well as *Suborn'd* thereunto, to start up an *Informers* against his *Lordship*. Neither are we Ignorant either of the price and rate, at which this Mercenary Shop-keeper *Scurlock*, made Shipwreck of Conscience, and forfeited all Claim and Title to the being accounted a True and an Honest Man; or to *whom* in consideration of it, he sold himself to be *Tool*. Seeing in a word, the *Purchaser* of him, was *Edmund Meyrick*, and the *Price* at which he was *Bought*, was *Meyrick's* promising to *Lend* him such a *Sum of Money*, as should sufficiently serve him for the *Buying* the *Receivers* *Place* of *South-Wales*. So that having said whatsoever I do either intend, or think needful in reference to *Scurlock*, who is the *Second Instance* given by the *Author* of the *Summary View*, of the *Advantages* the *Bishop* had above the *Promoter*, both for procuring

curing *Witnesses* for himself, and for corrupting and drawing off the *Promoters*; I should come now to consider the *Third Instance*, which the same *Writer* hath been pleased to give us of that kind, and to the foremention'd purpose, which relates unto, and is of one *Thomas Williams*, who had Wrote and Subscribed a Paper, wherein he Accused the Bishop of many Ill Practices; and who yet became afterwards a *Witness* for him, and both gives him an excellent Character, and with all declares, that what he had before Wrote against the Bishop, was drawn from him by Menaces and Perswasions. But having already said so much under a former Head, in reference unto, and concerning *Thomas Williams*, as I think will be accounted enough, not only for the Answering of all that he is mention'd for upon the present occasion, but for the covering the Bishop's Enemies with Ignominy and Confusion, because of the ways, means and methods, taken and used towards this *Williams*, for the Gaining and Suborning him to be a *Witness* against the Bishop of St. David's, I shall therefore even in pity and compassion to them, as well as in tenderness, and out of respect to other Persons, who may possibly come to Read this Discourse, add nothing here and in this place, about and concerning him.

So that without the Interrupting my self any further in reference thereunto, or the enlarging any more in realltion to the *Sixth Accusation* fastned on the Bishop under the Head of Offences of many kinds, I shall immediately advance and proceed to the Examination of what, under the same Head, is charged upon him in the *Seventh* place by the Author of the *Summary View*; which is, that notwithstanding the 31. Canon Anno. 1603. Decreeeth, that no Deacon or Minister be made and Ordained, but only on the Sundays immediately following the four Ember weeks; yet that the Bishop did very frequently Ordain at other times. Whereunto he adds, that it is not indeed proved that the Bishop had extraordinary pay, to encourage him in this practice, tho in the mean time he assigns an Instance, of which he says, that if it be thoroughly considered, 'tis to be vehemently suspected he had. Now in Answer to this, whereof the Bishop is here accused, I cannot omit in the way of my First Reply the ushering in what I have to say afterwards, with a Reflection on the partiality, infidelity, and malice of this *Writer*. For instead of Confining himself to the relating of matters, as they were received upon the *Depositions* even of such, as appeared plainly to have been suborn'd,

born'd and to have forsworn themselves; he endeavoureth by malicious *Innuendo's*, and by the suggestion of his own wrathfull and ill nature'd Jealousies, to fasten the reproach and infamy of a crime upon the *Bishop*, of which (by his own acknowledgment) there has no proof been made. Whereas not only revealed Religion, should have taught him to charge no man with an offence, whereof he had not full Evidence that he was guilty; in that *Charity*, which is the *Epitome* of Christianity, and the *Badg* of all sincere Christians *thinketh no evil* of any one; but *1 Cor. 13.* the very light of Nature might have Instructed him, to have avoided those suspicions of others, which he would not have them to harbour of him. And by the obtruding his own malignant Jealousies upon us, instead of giving us the true Narrative of things as they were; he hath not only offended against the Laws of God; but he hath also transgressed all the Rules laid down and prescribed by the very Heathen, to be observed by such who take upon them to be Writers of Historical *Memoires*. Whereof, tho' I have said enough before, and have also declared it to be a duty incumbent upon all, who undertake the publishing Narratives of Transactions and Facts, that they should not only do it *sine ira & odio*, Without being under the impression and influence of anger and hatred, but that they should *eorum causas procul habere*, Preserve themselves from falling under temptation and provocation to either; and tho' I have likewise given timely and sufficient warning, what a *Partial* and *Faithless Writer*, we should find the *Author* of the *Summary View* to be; yet I cannot here forbear adding, that I am the less surprized, to find that *Writer* entertaining us with groundless Jealousies, which do meerly arise from his hatred of, and his indignation against the *Bishop* of *St. David's*; seeing that the persons, whom our *Advocate* doth Court and Worship as his Patrons, and whose juridical proceedings against the aforesaid *Prelate*, he takes upon him to vindicate and justify, did in whatsoever fell within their Province, betray their having been themselves under the power of the like unreasonable Jealousies, and that in all the course of their Judicial Actings, they did suffer themselves to be so far over-ruled by Wrath and revenge against the *Bishop*, that the very Sentence which they pronounced against him was founded upon meer Suspicions, *Innuendo's*, and Illogical, as well as Illegal Inferences, and not upon Competent Proofs and Legitimate Testimonies.

And as these unhumane as well as unchristian Jealousies and and the many other unruly and vicious Passions, whereof I have given such undeniable and sensible discoveries, both in *those Persons* and in this *Writer*, do proclaim the ill Effects of the Nations standing thus divided (as it is) into Factions and Parties ; and do withall shew, what Bigottry and Revenge, under the stile of Religion and pious zeal, will transport and hurry men to be guilty of, so as fully to come unto, and to Answer the complaint and refection of the *Poet*.

— quod sapin. —

Lucret.

*Religio peperit scelerosa atque impia facta.
Tantum Religio potuit Sunderere malorum.*

And that

So I cannot omit expressing the fear and dread I am under of the injury and wrong our Posterity is in danger of having done them, by and from the *Fabulous Narratives*, and *Romantick Histories*, which most of the writers (of a certain Set and Tribe men) now living, are preparing to transmit and Convey down to them. For thro' a causeless and unjust hatred of some, and a partial and withall ill grounded love of others, we may justly in reference to them who in this Age pretend to write for the Information and Instruction of Ages to come, both complain and lament in the words of that wise *Heathen*, how that *libidine assentandi, et odio, posteritatis nulla cura, inter insensos et obnoxios* ; thro' being given up to the flattering of some, and infected with a hatred of others, men are become such implacable Enemies of those of one side, and such blind and servile admirers of those of the other, that few or none are careful to have things transmitted faithfully to Posterity. For thro' having made themselves of a Party, they are become so partially Bias'd and Interested, either by discontent or by obligation ; that none of them are thoughtful how Posterity shall come to be truly Informed. But to proceed to a *Second Reply* unto what the *Bishop* stands here charg'd with by this *Writer*, which shall be likewise in the way of a *Reflexion*, calculated to the Reprimanding a very scandalous Custom, kept up and practiced by those who come to be advanced to the highest Office and Dignity in the Church, and that upon the occasion and motive, as well as at the time of their *Consecration*, which is, That after the having spent the *Morning* in Acts of solemn *Devotion*, and in the Exercise of the Office of *Consecra-*
tion ;

Tacit.
Hist. Lib.
I.

tion; the rest of the day, tho' a *Sunday* is wasted in *Luxury* and *Riot*. Not that I do altogether blame a free and liberal Entertainment at those Seasons, of such, who have either assisted in the performance and Administration of the Duties and Offices then required and observed, or who are by their presence desirous to testify their Friendship and respect to those raised to the highest Ecclesiastical Order; provided that all things be managed with Sobriety and Modesty, and without exceeding the bounds of Temperance; but to have those times turn'd into seasons of excessive as well as extraordinary *Feasting*, is so far from being laudable, that it hath given both great and universal offence. For it hath been observed, that on the days of the *Consecration of Bishops*, the solemnity of Entertainments, and the Sumptuousness, yea the Luxuriousness of *Feasting*, do more approach unto and resemble the *Saturnalia* and *Bacchanalia* of the *Pagans*; than the *Agapa* of the *Primitive Christian Church*. And that tho' the ancient Custom and Ceremony of Reading a passage of the 13th Chapter of the *Acts of the Apostles* (in which mention is made, *How that the Disciples who were at Antioch, did Fast and pray before they laid hands on Paul and Barnabas, and sent them forth*) be yet still retained and continued; the duty of *Fasting* therein recommended, is not only sunk into Contempt, as well as wholly grown into desuetude; but the Rules of Eating and Drinking with Sobriety and Temperance, are both neglected and violated. And as I am sure, that from the beginning it was not thus; so I think, that the rectifying this abuse, and the taking care, that for the future *Sundays* for *Consecration of Bishops*, shall not be thus *Prophan'd*, would be more to the credit of the *Metropolitan*, and of the *Comprovincials*, concern'd in the process against the *Bishop of St. David's*, than they can hope it will be, that they made it such a heinous Offence in that *Prelate*, to have *Ordained Priests* at other times, save on such and such *Sundays*. Nor ought either his Grace, or their Lordships, to take it amiss, to be put in remembrance, that in those Entertainments, (which are usually made and Celebrated in their Episcopal Palaces) they ought to behave themselves as *Christian Bishops*, and not as *Apicius*, *Sardanapalus*, or as *Lucullus* did, when he gave notice to his Servants that he would *Dine* or *Sup* in *Parnassus*. And as both for my self and many of the *Laical Tribe*, I dare confidently say, that we

shall be much the readier in justifying their exaction of *Conformity* to the *Canons* of the Church, when we come to find that they themselves pay that respect and obedience to the *Laws* of God, which they should. But to proceed to the *Third* and last *Answer*, which I have to give to the foregoing *Accusation*, which is this, namely that as I have all the respect imaginable for the *Canons* ordain'd and appointed to the better Government of the English Church; so I do heartily wish, that all the Members of that great Body, from the *Metropolitan's* to the *meanest* within the Communion thereof, as well *Laicks*, as *Ecclesiasticks*, would better comply with and observe, and behave and conduct themselves more according to them, than many do. For as the *Liturgy*, *Rubrick*, *Articles*, *Homilies*, and *Canons*, are designed and intended to be Rules and Measures of our *Credenda* in *Doctrinals*, and of our *Facienda* in *Worship* and *Discipline*; so whosoever are inconformable to them, either in way of *defect* or *excess*, are therein *Dissenters* from the Church of *England*, as it is by Law Establish'd. And for the *Canons* in particular, they are in my opinion, the same to the Church in things *Ecclesiastical*, that *Laws* are to the State in things *Civil*. Nor is it less uncomely, or will it in the event be less dangerous, for a Church to want and be without *Canons*, or some Directions and Regulations Equivolent to them; than it would be for a *Political Society* to be without *Laws* and *Edicts*. For as the *Latter* do ordain, both the Duties and the Measures of the Obedience, which we are to render unto the Sovereign; and do prescribe the mutual Offices, which one Subject isto perform to an other; declaring what is punishable, and in what manner, and to what degree, whereinsoever we either offend our Prince, or are Injurious to our Neighbour; so the *Former*, do serve not only as a *Directory* of the several and reciprocal Duties of *Bishops*, *Presbyters* and *People*; but they are also instead of *Limits* and *Boundaries* to all of them. And especially as they are Restraints upon and Circumscriptions unto *Bishops* in their Ex-ACTIONS of Compliance and Obedience from *Priests* and *Deacons*, by reason of the obligation they come under by the *Canonical Oath*; so they are a kind of *Rubrick* and commentary of, and as to what, the *Bishops* are to render to their *Metropolitans*, by vertue of the *Oath* imposed upon them to the *Arch-Bishops* in the Office of *Consecration*. But as in consequence
of

of what I have said, I cannot avoid highly approving of that
 31. Canon, made in the Year 1603. Yet I can no ways find
 that the Bishop of St. David's is liable to the least Censure, by
 reason of any pretended Information against him, of his ha-
 ving transgress'd it. In that notwithstanding of its being
 provided for and ordained by the aforesaid Canon that *nulli
 in posterum presbyteri aut Diaconi ordinentur, nisi in diebus Domi-
 nicis immediate sequentibus jejunia quatuor Temporum, vulgo Sep-
 timanas Cinerum*; No Priests or Deacons shall after that be Ordain-
 but only on the Sundays immediately following the four Ember weeks:
 Yet the Ordination Rubrick (which is of as good Authority as
 that Canon) doth Grant a Dispensation and Liberty to every Bi-
 shop to Ordain at other times, in case it be judg'd necessary. See the Rubrick in
 The Words of the Rubrick being as followeth, that if one the form
 who is a Deacon, be found faithful and diligent, he may be ad- and man-
 mitted by his Diocesan to the Order of Priesthood, at the times ap- ner of ma-
 pointed in the Canon; or else on urgent Occasions, upon some other king Dea-
 Sunday, or Holiday. Which Privilege being Granted so to every cons.
 Bishop, that he, and he alone is left sole Judge, when it may
 be either necessary or convenient to Ordain at other Times, save
 on the Sundays after the Ember Weeks; the Metropolitan could
 neither justly take Offence at the Bishop of St. David's for
 having done it, nor be displeased that the aforesaid Prelate,
 had not antecedently thereunto, ask'd a Licence from his Grace
 for the doing of it. Tho' in all probability, that was more
 provoking, than the bare Conferring of Orders on other days
 than on the Ember Sundays would have been. For it is usual
 for them, who are not likely to Gain much honour by con-
 fining themselves to the duties and offices of their Places and
 Stations, to endeavour to make themselves remarkable, by the
 grasping at more Power and Jurisdiction, than by the Laws
 do belong unto them. And they, who because either of nat-
 ural Imperfections, or thro' want of acquired Accomplishments,
 ought to be the least presuming, are nevertheless, and that
 for those very reasons, found to be commonly the more
 Alter, dogmatical and domineering, which made the
 Wise Historian say of that sort of People, *Quibus ingenium &* Tacit.
audacia est, qua natura denegavisset, per artem tentare, That Aunal.
 from a temper of genius and humour, and thro' a boldness Lib. 15.
 arising from Ignorance and want of Wisdom, they endeavour
 to gain and compass that by means of Fraud and Usurpation,
 which

which neither Laws had Entitled them unto, nor either Nature, nor their own attainments, had adapted them for. However we have here an other Instance and Proof, either of the Agreious Ignorance of the *Writer* of the *Summary View*, or of his gross Unfaithfulness in the Reporting and Representing of things. And as in case, that his imposing upon his Readers, doth proceed from the *First*, he deserveth to be the object of every Man's contempt and *Ridicule*, for undertaking to Write on a *Subject* wherein he had not previously thereunto been so Conversant as he should and ought to have been; so if it do proceed from the *latter*, he is to be no otherwise accounted of hereafter, than as a *Fourb* and deceiver, whose word is not to be depended on in any matter of Fact he Relates. In brief, either his *Ignorance* is Unpardonable, or his *Infidelity*: and he must be acknowledged, either to have been ill prepar'd to Write on this *Subject*; or to have manag'd it with great Insincerity.

*Summary
View, p.
11, 12.*

But to go on to what is further, and in the *Eighth* place Charged upon the *Bishop*, under the *Head* said to contain *Offences* of many kinds. Which is, that notwithstanding the 34. Canon provides, *That no Bishop shall Ordain a Deacon, except Vicesimum tertium annum compleverit, he be Twenty Three Years Old; nor a Priest, unless Twenty Four Years compleat; and that tho' by the Statute 13. Eliz. c. 12. It is Enacted, that no Man shall be admitted to any Benefice with Cure, except he be of the Age of Twenty There Years at the least; yet that the Bishop did Ordain one Thomas Morgan first Deacon, afterwards Priest, and after that, Instituted him to the Rectory of Landetty, he being then not above Twenty Years of Age, and presented thereunto by his Father; and that the Bishop dispatch'd all this in the space of two Months, viz. between July and Michaelmas 1691.* Now in Answer to this, I have several things to say, partly in way of *Commentary* upon that part of the aforesaid Canon; partly in way of Reflection on what this Author hath led me to examine, and partly in the way of a direct Reply to that, whereof the *Bishop* is Accused. The *First* thing I shall therefore take occasion (from this *Author*, mentioning of the aforesaid Canon) to say, shall be, that I do not only greatly approve of it, but do very much commend the Wisdom and Justice of those who made it. Seeing in my opinion, it is not only consonant to all the Rules and Measures of Religious Prudence; but it is directly grounded upon that Direction

on of *St. Paul to Timothy*, that a *Bishop*, and by consequence as *1 Tim. 3*, well as accommodation, whosoever is admitted to be a Minister of the Gospel, *μὴ νεόφυτος* shall not be a Novice. For tho' I know that the word there used, is taken and expounded by most, to signify a Person newly Converted to the Christian Faith, as *Tertulian* useth the Phrase, *Novitiam paratam*, in reference to such as were but newly became Christians; yet I do take it to be not only very applicable, but to be chiefly intended in relation to the Age required in those, who shall be Solemnly Authorised and Ordain'd to Preach the Gospel. For as it was carefully provided under the *Mosick* Administration, that none of the Tribe of *Levy*, should enter upon the Work and Office of a *Levite*, untill he was *Twenty Five Years of Age*; so we have reason to believe that the *Apostles* would be careful in Numb. 4. 3, 23. appointing, that none should be admitted to the Office of *Bishop*, *Presbiter*, or *Deacon*, but such as were advanced beyond their *years* or the Age of a *νεόφυτος*, which has been usually reckon'd to extend from 17. to 25. And indeed the Reason given by the *Apostle*, why such a One ought not to be a Novice, viz. *Least that being lifted up with Pride, he fall into the Temptation of the Devil*, seems to carry the sense of that Text, *Ubi supra.* rather to design the Youth, than the Lateness of the Conversion of the Person there meant. Yea the Caution and Advice given afterwards to *Timothy*, that none should despise his Youth, *1 Tim. 4.* (i. e. that he should so behave himself, thro' compensating 12. by the gravity of his Manners, for his want of years, as to give no occasion unto any for despising him,) doth in my opinion fully determine the meaning of that Text to learn chiefly that way, for to be a Youth, causeth one to be often Contemned, and therefore *Suetonius* notes of *Domitian*, how he Resented it, *Sperni Juvenam suam videns, when he saw himself despised, because of his Youth.* And accordingly it was the constant custom and practice of the Ancient Christian Church, to suffer none to enter into Ecclesiastical Orders, until they were not only fully of the Age prescrib'd by aforesaid Canon, but not to allow it untill they were somewhat Older. For in the Ancient and best times of the Church, it was carefully provided for, and Solemnly appointed, that no one should be Ordain'd a *Deacon*, untill he was *Twenty Five Years of Age*; nor that any should be Ordain'd a *Presbiter*, nor admitted to be a *Bishop* *Synod. Neoces. Can. 11. Trullan. Can. 14. Toler. 4. Can. 19.* untill they were *Thirty Years Old*. But then I have in the Second place

place to say, that notwithstanding of the usefulness and expediency of the foremention'd *Canon* of the *Church of England*, made *Anno 1603*. Yet that it may be Lawful either in a case of *Necessity*, or upon weighty *Reasons* and *Inducements* to omit the observation of it, provided it be done without contempt. For as in the *Primitive Church*, tho' they held themselves oblig'd by the aforesaid *Rule* given by the *Apostle*, not to *Ordain* one to be a *Presbyter*, who was but newly *Converted* to be a *Christian*, and much less to *Consecrate* such a one to be a *Bishop*, nevertheless upon extraordinary occasions, and when there were prevailing motives for it, they departed from observing even that *Apostolical Injunction*. As in the cases of *Nectarius* and *St. Ambrose*, who soon after their *Conversion* to the *Christian Faith*, and immediately upon their *Baptism*, were made and *Ordain'd Bishops*. For as *Necessity* justifieth the doing whatsoever is not sinful, which we become morally forc'd unto; so there may be such reasons for the superceeding of all those *Canonical Restraints* in relation to some young men, that it will be more a duty, and the doing a greater service to the *Church*, to neglect such *Canons*, than strictly to keep them.

And therefore *St. Paul*, who gave it in command to *Timothy*, *Ubi supra.* that a *Bishop* should not be a *Novice*, did nevertheless even himself depart from that *Rule*, in his ordaining *Timothy* to be one, who in all probability was not of the Age of twenty four years when he was *Ordained*. But as he hath taken care to assign us the reasons why he did so; so it must be acknowledged, that they were such as would fully justify his doing it. Namely, that it was not only because of the admirable *Gifts* of the *Holy Ghost*, with which *Timothy* was *Endowed*, but because of the *Prophecies* which went of him before, by which he was mark'd out as one design'd to be an extraordinary, as well as a singularly eminent person in the work and ministry of the *Gospel*. But as in every Instance and case, wherein the aforesaid *Canon* of the *Church of England*, comes to be departed from, and neglected, they with respect to whom it is so, ought to be not only persons of great pregnancy of parts, but especially of wonderful sobriety of life and of remarkable piety and exactness of manners; so I doubt not, but that whensoever they are such, with respect to whom the aforesaid *Canon* is dispensed with, the practice may be justified in the words of that Author, who said, *Non novit atatis differentiam, universorum Deus, sed solam pietatem, & rerum divina-*

runt amorem, et sui studium requirit; et si hoc in Juvene repererit, Anton in
hunc multis senioribus anteponeit, He who is the God of all Melissis
men, is not bound up to an observation of their several and respective Serm. 1.
Ages, in Order to his using and Employing them; seeing that as de bonis
the chief qualifications, which he previously requires are Piety, a love Episcopis.
of Divine things, and a zeal for promoting of his own Glory; so
whosoever he findeth these in one who is Young, he doth more esteem,
and account him much worthier, than he does such, who are Older.
 And accordingly we find it to be one of the Clementine Consti-
 tutions, (the Author whereof is unquestionably very ancient,
 tho' possibly not the person to whom they are vulgarly ascribed)
 That whosoever in a small Parish, there is not a man of Age, Clement.
 and of advanced years, found sufficiently qualified, and duly re-Constitut.
 commended for the being Ordained a Priest or Bishop, but there is Lib. 2.
 found one who is younger, admirably adapted for, and generally-re- cap. 1.
 commended to the Office and Dignity; that in such a Case, the young
 Man shall be preferred unto, and Ordain'd Priest, or Bishop, before
 and rather than such as are Older. And had the great Metropoli-
 tan, and some of those his Comprovincials, who were Assessors to
 him in the Process against the Bishop of St. David's, been pleased
 to consider, to how many of the aforesaid Canons made Anno
 1603. they act very unconformably themselves, they might
 have seen reason for their being less severe to that Prelate, than
 they were; could it even have been proved, (which it was not)
 that he had acted dissonantly to the 34. Canon. And to omit the tak-
 ing notice of diverse of those Canons, to which neither the
 Arch-Bishop of Canterbury, nor several of the Bishops of his Pro-
 vince, pay that Respect, nor yield that Obedience which they
 should; I shall only put them, as well as others, in mind, how
 contrarily they behave themselves to the 9th, 10th and 11th of
 those Canons, which relate unto Protestant Dissenters from the
 Church of England, and do prescribe what the conduct of the
 Bishops should be towards them, Namely, That whosoever shall
 Separate themselves from the Communion of the Church of England;
 and that such Ministers, who shall refuse to subscribe to the Form and
 manner of God's worship in the Church of England, prescribed in the
 Communion Book; and that they who (besides the Church of Eng-
 land) do challenge to themselves the name of true and Lawful
 Churches, be all of them Excommunicated, and not Restored untill
 they Repent. And tho' by reason of the Statute, Granting
 Liberty to Dissenters, They cannot now do all those
 things

things against such, which those *Canons* require; yet they are not necessitated to take them into their Bosom, and to make them their principal Favourites, and chief Confidants, which in contempt, as well breach of the aforesaid *Canons*, they openly and avowedly do. Yea, they shew that distinguishing regard to some who are most Notorious *Dis-senters* from their Church, and who do neither joyn with them in *Worship*, nor *Communicate* with them in the *Celebration* of the *Lord's Supper*, unless it be in order to the Qualifying themselves according to the prescription of the Laws, for places either of Honour, or of Profit, that when these Declared Adversaries of their Church, come to be *Competitors* for being *Elected Members* to *Serve* in *Parliament*, with such as are not only sincerely, Universally, and constantly of their *Communion*, but do effectually labour to maintain the *Worship* and *Discipline* of the Church, as they are by Law Establish'd, these foremention'd *Prelates* do make all the Interest they can for the *Election* of the *Former*, to the *Exclusion* of the *Latter*. By vertue of what *Political Principles*, or on what *Secular motives* they do so, I will not inquire, and much less pretend to tell; but this I may venture to say, that they do therein act in direct repugnancy unto the *Religious*, as well as the *Disciplinary Principles* of that Church, wherein they bear such venerable Titles, and Enjoy so ample and great Revenues. And seeing we need do no more, but barely to reflect on the *Parliament 1640.* in order to the being Instructed, what such a practice (as to be an accessary to the getting the majority of the Members of the House of Commons to be such, as either are *Whiggs* or *Fanaticks*) may in the event produce, and how (should such endeavours be succesful) it may prove the total overthrow and subversion of the Church of *England*, as it yet remains by Law established, they ought not to take it amiss to be put in mind of the Advice given by *Dr. Burnet* to *Dr. Samuel Parker Bishop of Oxford*, viz. That they should Renounce whatsoever they are advanced unto, and put into possession of, thro' the having been accounted not only upright and sincere, but also inflexible and zealous with relation to the *Disciplinary Tenets* of the Church of *England*, as well as with respect to the *Articles, Doctrines*, and *Canons* which concern *Faith* and *Worship*. And tho' I will not in the least presume to say, that an other passage of *Dr. Burnets* levelled against the aforesaid *Bishop*, is any ways applicable

plicable either to his *Grace of Canterbury* or to others who are *Prelates* of the Church of *England* at present, yet forasmuch as the having it here cited, may serve both to forwarn and to caution some to be circumspect in what they do, I shall here repeat it as I find it. Namely, *That it raises Nature a little, to see a man, that has been so long satined with the Spoils of our Church, and who is now got up to a degree so disproportioned to his merit, to Turn so treacherously upon it.* But thirdly and lastly I have this further to say by way of *Answer* to the foregoing *Accusation*, viz. that the *Bishop* was neither liable to blame, nor to any just censure for what he did in the *Case of Thomas Morgan*; in that previously to his *Ordaining* him, he, had a full and formal *Certificate* attested by proper hands, deliver'd and exhibited to him, in and by which it was positively affirm'd and testified, That the said *Morgan* had attained to the years, which the *Canon* required. Nor was it possible in any *Diocesan* to have paid more respect to the 34. *Canon*, or to have acted more conformably to what it prescribes with respect to the *Age*, which they who are to be *Ordained Deacons* or *Priests* ought to have arriv'd at antecedently thereunto, then the *Bishop* of *St David's* did in his Con-
 ferring those *Orders* upon *Morgan*. Seeing, tho' it had been represented to his *Lordship* by diverse persons, that he was both a young man qualified by *Vertue* and *Sobriety*, as well as by *Learning* for admission into sacred *Orders*, and had attained to the years which the *Canon* required, yet by reason of some jealousy which his *Lordship* had entertained, that he might not be so old, as he stood reported to him to be, he absolutely refused to *Ordain* him, untill he had a *Certificate*, declaring his being of that maturity of *Age*, which the *Canon* had enjoyn'd. Yea, tho' no less a person, than the old *Earl of Macclesfield*, (with whose desire the *Bishop* would have been willing to have complied in any thing that was just and reasonable) did earnestly and importunately solicit for the getting him *Ordained*, yet the *Bishop* would upon no terms condescend to do it, untill he should previously have such a *Certificate* exhibited to him, as I have mention'd. And forasmuch, as the *Curate* or *Incumbent* of the place where he was *Born* and *Baptized*, together with the *Church-Wardens*, were the most, if not the only proper persons, to require it of, and to receive it from, his *Lordship* demanded the having it under their hands, that *Morgan* was of the *Age*, prescribed by the *Canon*, before he would admit him into *Orders*. And such a *Certificate*, bearing date the 22d. day of *August*, 1691.

See Enqui-
 ry into the
 Reasons
 for Abro-
 gating the
 Test, &c.

being brought to him, *Signed and attested by Giles Bomen Curate, and by Morgan Lewellyn and Walter John, Church wardens of Landetty, where he the aforesaid Thomas Morgan had been Born and Baptized; the Bishop after that, could have no pretence on the foot and score of his Age, for the refusing or declining to Ordain him. Yea not only Hugh Powel (who had assisted as Presbyter at Morgan's Ordination, and was also one of the Promoters Witnesses) directly and positively sweareth, that the Bishop would not Ordain the aforesaid Morgan, untill he had received a Certificate of his Age from the Curate and Church-Wardens of the Parish of Landetty where he was born, pursuant to the Register Book kept for Christnings within the said Parish; but both John Barnet and Jeremiah, Griffith who were likewise two of the Promoters Witnesses, have also declared upon Oath, That they had heard of the Bishop's receiving a Certificate before he would admit him into Orders. And it is not unworthy of Observation, how this Griffith even previously to the Bishops receiving of the said Certificate not only gave a Testimonial of Morgan's parts and morals, qualifying him for entering into holy Orders, but was also Importunate with the Bishop to Ordain him. Nor can I here omit the observing further how the aforesaid Hugh Powel deposeth, That he could neither say Morgan was under 23 years old, when the Bishop Ordained him Deacon; nor that the Bishop knew any thing of his being under Age. And therefore as the Author of the Summary View, hath discover'd both the greatest malice imaginable against the Bishop, and the utmost insincerity, that can be found in any Writer in saying, That it did not appear, whether the Certificate was brought to the Bishop, before he Ordained and Instituted Morgan; when by the Depositions of Three of the Promoters own Witnesses, it hath been in Proof, both that the Bishop positively refused to Ordain him, untill he should first receive such a Certificate, and also that he had One accordingly brought and deliver'd to him antecedently to his doing it. And whereas that faithless and malicious Writer, doth with an Impudence peculiar to himself, further add, That It is probable the Bishop had no such Certificate before his Ordaining Morgan, in that Hugh Powel who assisted at the Ordination, was not examin'd by the Bishop in reference to that Article, which (as he says) doubtless he would have been, could he have sworn up to it: it doth evidently shew us, that this Author takes pleasure in reporting matters of Fact both treacherously and unfaithfully, and that he*

writes

The Pro-
mot. 21.
Witt.

Ans. to
Interrogat.
28.

Griff. the
Promot.
8. Witt.

Ans. to
Interrogat.
23.

Barn. 5.
Witt.

Ans. to
Interrogat.
18.

Ans. to
Interrogat.
23.

Summary
View, p.
12.

Ibid.
p. 14.

writes with a design of deceiving, not informing his Readers. Seeing it was not only in proof, that this very *Powel* had solemnly Sworn, that the *Bishop* had refused to Ordain *Morgan*, untill he should receive a Certificate of his Age; (which made it superfluous as well as unnecessary to Examine *Powel* afterwards in relation thereunto) but it is also further both evident and certain from *Powels* own Deposition, that upon his being Interrogated, whether the aforesaid Certificate, was to keep the *Bishop* harmless; or to satisfy him, or both; He had answer'd upon Oath, that he believed it was to Satisfy him; which I am sure it neither would, nor could have been, unless brought to him antecedently to his Ordaining of *Morgan*. And as to what this *Author* objects against the validity of the Certificate, because of its having been, as he styles it, one entire piece of Forgery, to which as *Giles Bowen* the Curate had never signed; so *Walter John* who is alledged to have Subscribed it as one of the Church Wardens, was no Church Warden, when the Certificate was given; nor did *Morgan Lewellyn*, whose name is affixed to it as the other Church Warden, know any thing of the Contents of it, but that his Name was set to it by *Morgan's* Father, without the telling him what it contained; to all this I do say, That as it is most impertinently and unjustly produc'd with respect to the *Bishop*; it could not in any impartial Court of Justice have criminally affected him in the least. Indeed had his Lordship been any ways either accessary unto or conscious of the Forgery, or had any person antecedently to his Ordaining *Morgan*, informed him of the Certificate's having been Forged, the *Bishop* would thereby have been both Chargeable with a very scandalous Offence, and according to Justice as well as Law, have become involved under the guilt of an impleadable and censurable Crime. But he having been harmlessly Ignorant, and thereupon altogether Innocent of whatsoever related to the foremention'd Forgery; there was no reason, why he should have been accused and articulated against, meerly because of the fraud and treachery of others. And should the most prudent and upright Judges of all, or of any of our Legal Courts, fall under defamations, and come to be made obnoxious to punishments, for every counterfeit Writing or Deed, which have been admitted in proof at their Judicial Barrs (and of whose suppositiousness and Forgery no discovery was made to them, nor could they by their own wisdom and penetration make any detection) many of those venerable

17.

Ubi supra.
P. 12.

Cicer. 2.
de Orator.

Tacit.
Annal.
Lib. 4.

Ubi supra,
p. 12.

Lewellin,
the Prom.
43. Witr.
Answ. to
Interrogat.
June 8.
1699.

venerable persons, who so much to their own honour, and to the universal satisfaction of the Nation, in and by an equal and impartial Administration of Justice, do at present fill our *Westminster-Benches*, would be liable to not a few very foul imputations and aspersions. But were some men more acquainted either with affairs, or with good Books, they might have known better (than it seems they do) that as *res privata*, *multo saepe obscuriones*, *quam publica*, things which are either personal and private, or privately transacted, do lie more out of view and knowledge, and are less seen through and penetrated into, than matters of a more publick Nature and concern are ; so it is not in every case practicable, to distinguish so (as *Tacitus* says) between the *consuetudo artis et falsi*, the Neighbourhood of prudence and sagacity, and of deceit and falsehood, as to know where the barrier betwixt them lies, in that very often *vera obscuris tegantur*, what is really true, is hardly discernable, by reason of some veil over it. And besides it is every honest man's duty, to believe well of others (especially when they are accounted people of good fame) and not to entertain such a sinistrous opinion of them, without full and undeniable Evidence, as to think them capable of being guilty of a *Forgery*. Nor can I here omit observing, of what a depraved complexion of mind, the *Author* of the *Summary View* must needs be, that when he had more than enough to say, with reference to the *Forgery* of the foremention'd *Certificate* ; yet he could not even then confine himself to the reporting of things faithfully, but must give a fresh instance of his writing with Insincerity, as well as with partiality. For whereas he tells us with all the positiveness imaginable, that *Morgain Lewellin* had Deposed, That *Thomas Morgan's Father*, by whom his hand was set to the *Certificate*, did not tell him the Contents thereof, by which every Reader would be induced to believe, that *Lewellin* had not given his consent to the putting his Name to it, and had much less been made acquainted with what it contained ; It is nevertheless in proof, and that by *Lewellin's* own *Deposition upon Oath*, That *John Morgan Esquire* the Father of *Thomas*, had deposed of *Lewellin*, That seeing he the said *Lewellin* could neither Read nor Write, but that whensoever there was occasion for his Hand, he only put his Mark, and had his Name written by another ; That therefore he the aforesaid *John Morgan* might set *Lewellin's* Name to the foremention'd *Certificate*, and that upon

Le-

Lewellin's consenting thereunto, John Morgan did it accordingly. Yea it is further sworn by the said Lewellin, how That both antecedently to the Writing of the Certificate by John Morgan, and to his putting Lewellin's hand to it, the aforesaid Morgan had told him, That he being Church-Warden, the Bishop of St. David's would not Ordain his Son, unless he the said Lewellin would Sign a Certificate. And it being demonstratively evident, and indubitably certain, that there neither was, nor could be any thing, within the province and circle of Lewellin, as he was Church-warden, concerning which he could sign a Certificate to the Bishop in relation to Thomas Morgan, save meerly for the giving his Lordship an account of his Age, as it doth from thence undeniably follow, that Lewellin was previously made acquainted with, and caused sufficiently to understand the Contents of the Certificate, ere ever his Name was put to it; so it is no less from thence evidently apparent, and uncontrollably certain, that the Author of the Summary View, hath egregiously prevaricated in the reporting of that matter, and that he is a deceitful, as well as a partial Writer. And for the further convincing of every Reader, of the Truth of what I have said, in relation not only to Lewellin, but to the Author of the Summary View, I shall here subjoyn the Deposition of one Thomas Frosser, who Swears that Morgan Lewelling had told him, how that he the said Lewelling, while and during his being Church Warden at Landetti, anno 1691, had set his hand to a Certificate of Thomas Morgan's being of the Age therein Certified, tho he did not know, when he did so, whether he was of that Age, or not. Which notwithstanding its shewing the Villany of Lewellin, doth nevertheless fully confirm unto us, what an unfaithful and treacherous Recorder of Matters of Fact, this Writer of the Summary View, is. But moreover, whereas the same Author, in order to the further aspersing of the Bishop, hath been pleased to add, That Thomas Sandy's a Prebendary of the Collegiate Church of Brecknock, hath Sworn That he believes Thomas Morgan, was not, at the time of his Ordination, above Twenty Years of Age; and that the Bishop could not but know him to be under the age qualified for Orders, having seen and taken notice of him at School within a year of his Ordination; I shall thereunto return this short, but withall full and satisfactory Answer. Namely, That as the whole which either pertinently or in consistence with Justice, ought to have been Enquired into, was of what Age Morgan

The Prom.
34. Wm.

Summary
View,
p. 31.

had

See Ch.
Price's
Depos. the
Bp's 44.
Winn.

Hen. Po-
wel, the
Bp's 15.
Winn.

Allegat.
exhibited.
by the Bp.
Nov. 10.
1697.

been *Certified* to the *Bishop* to be, and not of what years in reality he was; so I cannot forbear adding, that *Sandy's* tho' a *Prebendary*, is not of Reputation and Credit with me, nor can he be so with any, who will take the pains to know his Character, as that his *Belief* either in reference to this, or any thing else, should be accounted a reason and Motive, for the influencing the *Belief* of others. Seeing as he was *One* of those, whom the *Bishop* had laid under *Monition* for not having *Resided* on his *Cures* according to the *Canon*, and that thereupon he had enter'd into a Combination and Conspiracy with *Lucy*, *Meyrick* and others, to be revenged on his *Lordship*; so it hath been in *proof*, that he was not only one of them, who had assisted in drawing the *Articles* against him, and who had solicited many to joyn with him and his fellow Conspirators in the prosecution of the *Bishop*, and that he had particularly address'd the late old *Earl of Macclesfield* to that purpose, for which the said *Earl* sent his Secretary *John Williams* to reprimand him severely, because of such his malicious practices against his *Diocesan*; but there hath been a Letter even under *Edward Meyrick's* own hand produced and that directed to the *Bishop*, wherein he the said *Meyrick* tells his *Lordship*, That he would bear of the *Malice* of *Lucy* and *Sandy's* and that the former had undertaken to prosecute, and the latter to Swear. Nor do we need to look further, in order to the being convinc'd, with what *Malice*, and how much at random, *Sandy's* hath ventur'd to Swear against the *Bishop*, than merely to observe how, from the *Bishop's* having had a transient View of *Morgan* at School, within a Year before his *Ordination*, he takes upon him from thence Solemnly to Depose, that his *Lordship* could not chuse but know him to have been under Age qualified for Orders. For as neither the *Lowness* of ones *Stature*, nor the *Youthfulness* of ones *Countenance*, are *Infallible* Indications of his being under the Age of 23. so no Man, who is either *Wise*, or *Conscientious*, will dare to Swear (which should never be done, except on grounds of certainty) upon Reasons and Inducements, which will hardly afford a foundation for a meer Guess or Conjecture, For in this, as well as in other things, *fronti nulla fides*, there is no determining with any certainty of a Persons Age, by exterior appearances. And could we, with less obnoxiousness to the being mistaken conclude from ones growth, and looks, what the number of his Years may be; yet it is highly

highly probable, that the sight which the *Bishop* might have of *Thomas Morgan*, was both so slight and transient, that it was impossible for his *Lordship* from thence to form an Opinion, and much less a Judgment of his Age. Especially when his seeing of him, was upon no previous design, of making a conjecture, of what Years he might be thought to be. And as nothing can more discover the Impudence of *Sandy's*, than that upon so weak and frivolous a ground, as the *Bishop's* having seen *Morgan* within a Year of his Ordination, he should dare to Swear with the utmost positiveness, That he could not chuse but know him to be under Age qualified for Orders; so it doth likewise shew both the Indiscretion and the Infidelity of the *Author* of the *Summary View*, in endeavouring from thence to possess his Readers with an Opinion, of the *Bishop's* being Conscious that *Morgan* was not 23. Years, when he Ordain'd him, seeing the said *Writer*, either did know, or at least should have known, how it had been in Proof, that *Hugh Powel*, Rector of *The Pro-Lansanfreed*, who had often seen *Morgan*, and assisted at his Ordination, had nevertheless Deposited upon Oath, that he could not say, that the said *Morgan* was under 23 Years, at his being Ordain'd. And as to what the said *Author* doth more over add, for the further fastning of an Offence, as well as Reproach, on the *Bishop* in this matter, viz. How that one *Daniel Price* Gentleman had Deposited, that when one *Mr. Hugh Powel*, came and desired him the said *Price* to get a Certificate, that *Thomas Morgan* was of Age, that he the aforesaid *Daniel Price* had answer'd, that if he had such a one, it would signify nothing, because every body, or most that knew the said *Morgan*, knew he was not of Age, I shall only need in way of Reply to make this short return; Namely, That what pass'd in Conference between those two, ought not to be construd, to have any ways affected the *Bishop*. Seeing that as there are very few things, in reference to which it may not be said in *Tacitus's* Phrase, *Multus variusque rumor*, That the Opinions of People are no less different, than their discourse is free; so it is against all the Rules of Justice, that when one is impleaded before a Judicial Court, it should lie (that I make use of an other Expression of the same *Historian*) *In aliorum Judicio qualis habeatur*, in the power of others, to get him thought of and esteemed, according as their Guesses and Conjectures are in relation to the matter, whereof he is accused.

mot. 2.
Witm.
Answ. to
Interrogat.
23.

Ubi supra.
P. 13.

Tacit.
Annal.
Lib. 11.

Annal.
Lib. 11.

Annal,
Lib. 3.

cused. For as the same *Author* both mentions and commends one, for having said, *That ex rumore non statuendum, That neither Persons, nor Things, are to be judged of by and from loose and uncertain Reports*; So should that once be allow'd, it would come to be in the power of every meddling and impertinent Fellow, by the alone means of his idle Twattle, to get those who are Innocent to be both suspected and taken as Guilty, and them who are Guilty to be thought and pronounced Innocent. And as the very *Writer* of the *Summary View*, by his declaring, that tho *Daniel Price* in his Answer to *Hugh Powell*, had mention'd every Body, yet had added, *or most that knew Morgan, knew he was not of Age*, doth not only thereby intimate, but in effect acknowledge, that there might be some, who knew him, that might believe him to be of Age; so why may it not be very reasonably thought, that the *Bishop* might be one of those few; and the rather because we find, that *Hugh Powell* himself was of that opinion, as clearly appears by and from his Desposition upon Oath. And I am sure nothing can be more unreasonable, than that the *Bishops Knowledge*, or his Ignorance of a Persons Age, should be determin'd and concluded, by what others did either pretend to think, or to know of it. But that I may hasten to the shutting up of what I had to Reply to the aforesaid Charge against the *Bishop*, I shall only desire the freedom of making Three short Reflections before I do it. Whereof the *First* shall be, that it looks very odly, and makes all the Proceedings against his *Lordship*, to be greatly suspected of having been Commenced and carried on, upon Principles and Motives of Revenge, that two of the Principal *Witnesses* to many of the *Articles* against the *Bishop*, and one of them particularly to the *Article* wherein he is accused, for having Ordained *Morgan* before he was of the Age, which the *Canon* required; should have had it in Proof against them, that they were Persons, who had no respect for the said *Canon*. For as *Edmond Meyrick*, who deposed both to the most, and to the worst things, whereof the *Bishop* was Accused, hath had it tendered in Evidence against him, that he had advised the *Bishop* to Ordain *Morgan*, previously to his doing of it; so it hath been Sworn against *Jeremiah Griffith*, who was Witness to many of the Offences and Crimes mention'd in the *Articles* for which the *Bishop* was brought under a Judicial Procedure, and particularly to his having Ordained *Morgan*, e're he had attained to the Age of 23 years,
how

how that he the said Griffith, had perswaded Charles Price (now Vicar of Llanerth) to have gone into Orders before he was 19 years of Age, telling him that he had known the like done before; but that the said Charles Price did not then endeavour it. Now as it both declared the Malice of these two Men against the Bishop, and did shew the Assurance they were possessed with that the great Man before whom the *Process* was to lie, would Act more upon Principles of Pique and Revenge, than of Justice, in that otherwise they would not have dared to Charge that for an Offence upon the Bishop, which they knew themselves Obnoxious to be accused for being Guilty of; so we have herein an other Instance of the partiality of the Metropolitan, that he would make that a censurable Trespass in a Comprovincial, for which he did not think fit to Reprimand two of the Inferiour Clergy. And as the foregoing *Reflection*, hath been with Reference to the Partial and unequal Procedure used towards such as had violated One and the same Part of the Canon; so the 2d. shall refer to the different manner of Proceeding against the Bishop, for a pretended Breach of one Part of the 34 Canon, in comparison of the way of Acting towards those, who had Transgressed another Part of the same Canon. For whereas it is likewise provided for, and Ordained in the 34 Canon made Anno. 1603. that nullus Episcopus in sacros Ordines quengquam cooptabit, nisi vel ex altera, &c. vel nisi Literas (quas vocant) Dimissorias attulerit ab Episcopo, &c. No Bishop shall admit any Person into Sacred Orders, which is not of his own Diocese, except he be either of one of the Universities of this Realm, or except he shall Bring Letters Dimissory (so termed) from the Bishop, of whose Diocese he is; yet no Cognizance hath been taken of, nor any Censure inflicted upon Lucy the Promoter, tho it hath been tendred in Proof against him, that he had violated that Part of the Canon. For notwithstanding it be Particularly appointed by the aforesaid Canon, in that part which I have cited, that none save the Bishop alone shall give Letters Dimissory to any; nevertheless Lucy, together with others, hath or have taken on them, to Grant Letters Dimissory to several Persons within the Diocese of St. David's, and particularly to John Walheffe of the said Diocese, out the knowledge, Privy, or Consent of the Bishop. But tho' the Metropolitan's declining to take notice, of what Lucy was accused to have been herein guilty, doth both show with what partiality his Grace behaved himself in his Acting Judicially,

Ch. Price's
Answ. to
Interrogat.
Apr. 10.

1698.

The Bp's
Allogat.
Jan. 19.

with 1697.

and serveth likewise to beget in every thinking and Honest man, a very odd and Sinistrous opinion of the whole *Procedure* against the aforesaid *Bishop*; yet the Reader will be the less surpris'd to find *Lucy* acting in the foremention'd *Case*, after the manner I have declared, wholly conniv'd at by the *Metropolitan* if not also Justified; if he will but vouchsafe farther with me to observe, how an *Other* of the *Witnesses* against the *Bishop* of *St. David's*, hath escap'd without the least Rebuke or Censure, tho complain'd of, to the *Arch-Bishop* of *Canterbury* for having Offended against the *Rubrick*, (which is at least of equal Authority with any *Canon*) in a matter therein expressly provided for, Regulated, and Ordained. For whereas it is positively Ordered and Appointed by the *Ru-*

Rubrick for the Mini-
stration of Baptism, to such as are of Riper years.
that when any Persons, as are of Riper years, are to be Baptized, timely notice shall be given to the Bishop, or whom he shall Appoint for that purpose, a Week before at the least &c. that so due Care may be taken for their Examination, whether they be Sufficiently Instructed in the Principals of the Christian Religion; yet it hath been offer'd in Proof, that *Jerimiah Griffith* a Pretended, Witness against the Bishop of *St. David's*, did on or about the 26

of October 1690. Baptize John Griffith his Brother, who was an adult Person, and that not only in a Place no ways separated or set apart for Administration of Publick Baptism, but that he also did it, without giving Notice thereof to the Bishop, or to any appointed by him. So that by the *Metropolitan's* different proceeding in one Case, and towards one Party; from what his behaviour was in an other Case, and towards an other Party; as we have all the Evidence Imaginable, that it was not because of a Neglect of the *Canon*, that his Grace was so much incensed against the Bishop, as he appeared to be; seeing if that had been it which had given him Provocation, he would have been equally (and ought to have been more) Offended with *Griffith*, for having most notoriously Transgressed against the *Rubrick*; so we are thereby likewise further Convinced, that his Graces business and design, was not to Try Causes but Men; and that his intent was to punish Persons, rather than Offences. But that I may hasten to a Conclusion of what I had to say on this Head, I shall only add a 3d. Reflection, which shall be Levell'd particularly to the Rebuking of the Author of the *Summary View*. Who instead of approving himself a Person, who knew what it was to write either with Can-

Candor, or with the least Regard to truth, hath not only given Malicious turns to whatsoever he mentions, whereby he hop'd to get the Bishop to stand the more Criminally affected and Represented under the greater Ignominy and Reproach; but in that he hath likewise interposed and added meer Fictions and Forgeries of his own, with his Pretended bare relations and Naked reports of Sole and alone matters of Fact. And thereof we have a remarkable Instance, in Reference to the matter *Articulated* against the *Bishop*, which we have been Discourfing about. For as if it had not been enough (and all a Faithful Historian could have allow'd himself, or would have presum'd to do) to have acquainted us with the *Bishop's having been Accused for Ordaining Morgan, when he was not Qualified by the Canon for being admitted into Orders*; he hath with an Effrontery, as well as an Insincerity peculiar to himself, ventured both upon the Defaming the Bishop, and the deceiving the unwary and Credulous part of Mankind, by an *Innuendo* that his Lordship had been either Antecedently Brib'd to Ordain him, or that he did it upon the Prospect of a future Reward. And this Injustice and implacable Malice therein to the Bishop, are the more Conspicuous, and become the more Aggravated, in that Immediately after he had acknowledged, that it was not Proved that the Bishop had Extraordinary pay to Encourage him to Ordain save only upon the Sundays next after the four Ember Weeks; yet he hath been so Guileful and unrighteous as in the very next words to Subjoyn, that in the Instance of Ordaining Morgan, 'tis vehemently to be Suspected that he had. However tho I have all the advantage here given me, I could wish, both for Exposing the Folly, partialty and Infidelity of that *Writer*, and for treating him with the severity which he deserves; yet I shall out of Respect to my self, forbear the saying that of him, which some, upon so just an occasion, and so provoking a Motive, might and expect I should. And as I think him too despicable a *Writer*, for any one who lays Claim to common Sense, to seek Credit by insulting over him, so it is my Opinion, that should I give way to *Ralleries* upon him Answerable to his demerit, I should be Tempted to say those things, which neither in consistency with Virtue or good Breeding, would become me.

Summary
View,
p. 14,
15.

So that being resolved to say no more in reference to the foregoing Accusation, I shall now proceed to consider and examine, what under the *Head said to contain Offences of many kinds*, the *Bishop* is in the *Ninth and Last place* further Charged with. Namely, That *He hath neglected to keep any publick Register, or any Authentick Acts of his Institutions and Collations.* And to fasten this upon him, the *Author of the Summary View*, tells us, That *Thomas Powel hath Sworn, that the Bishop very frequently dispatched Institutions and Collations, without calling him the said Powel, who was Deputy Register, and a publick Notary, or any other Notary publick; and that his Lordship would not suffer the aforesaid Powel to keep any Register, tho he had both often acquainted the Bishop with the necessity thereof and had also to that purpose brought a fair Book from London; and that by reason of the said neglect, occasion had been given to some to have ill Thoughts of the Bishop.* And which this *Writer* says, they might very justly have, because that under this secret practice, all manner of irregularities might be committed, and that for want of proper Witnesses to attest such Acts; Clerks may be Collated and Instituted without making Subscriptions, and without taking the Oaths either of *Simony*, or *Allegiance*. In my Replying whereunto, tho' occasion be administred for saying a great deal, I shall nevertheless endeavour to be very short. Because, that save the neglecting to keep a Register, whereof the *Bishop* is directly accused, whatsoever else he hath thereupon been aspersed with, or had in any way alledged against him, it is all founded upon bare and naked suspicion. Nor would a modest and sincere *Writer*, and much less an impartial and upright *Court of Judicature*, have assigned that, or have suffer'd it to be given, as the reason for, and motive to the said Omission, which there was not any thing brought in Evidence to justify and prove. However some Answers shall be made to the aforesaid Charge, and those such, (if I do not mistake) as shall not only fully Vindicate the *Bishop* both from offence and reproach in that matter; but which shall fasten Infamy as well as Malice upon some, for their conduct and behaviour towards his *Lordship* upon that account. And the *First* thing I have to offer by way of Answer to the *Author of the Summary View*, in reference to what he chargeth the *Bishop* with of having neglected to keep a publick Register of his *Institutions and Collations*, shall be to observe, that whereas the 21 Article

cle exhibited by the *Promoter*, wherein the *Bishop* is accused of having been Guilty of that Offence, was founded upon the 123. *Canon* made *Anno*. 1603. The said *Canon* is not so much as Mention'd by the *Writer* of the *Summary View*, as the Ground and Foundation of the said Charge and Accusation. For which, tho I do not Charge that *Author* with *Folly*; yet I can not omit the Accusing him of *Insincerity*, which I take to be a worse Imputation upon him. Seeing that he having undertaken to give a Relation of what *things* had been *Articulated* against the *Bishop*, and upon what Grounds they had been reckon'd to be, and had been laid against him as *Offences*, he ought not to have concealed, how this Pretended *Offence* of his *Lordship* in not keeping a publick Register, had been Founded against him by the *Promoter* upon the foremention'd 123. *Canon*. But some People think it less disgraceful to be *Knaves*, than to be accounted *Fools*: And they will rather chuse to be Guilty of an Immoral and ill thing, than of an indiscreet and Silly one. And as by comparing the aforesaid *Canon*, with the *Promoters* 21 *Article*, it will appear that the *Promoter* is an *Ignorant* (but *Malicious*) Fellow ; so by comparing the *View*, which this *Writer* affirms his having given us of the *Articles Exhibited* against the *Bishop* of *St. David's*, with this 21. *Article* in particular, as it was Laid against his *Lordship* by the *Promoter*, we shall find this *Author* to be a Person of no *Integrity*. And that what I have said of the *Promoter's* being an *Ignorant* Fellow, may not be thought a *Detraction* or *Slander*, but appear an undeniable Truth, I shall both call over the 123. *Canon*, and also the 21. *Article*, upon which the *Promoter* founded the *Offence* therein contained, with which he Charged the *Bishop*. And as the *Terms* of the *Canon* are as follow viz, that *nullus cancellarius &c. no Chancellor, Commissary, Arch-Deacon, Official, or any other Person using Ecclesiastical Jurisdiction whatsoever, shall Speed any Judicial Act, either of Contentions or voluntary Jurisdiction, except he have the ordinary Register of that Court, or his Lawful Deputy: Or if he or they will not, or cannot be present, then such Persons as by Law are allow'd in that behalf to Write or Speed the same, under pain of Suspension ipso facto: So the words of the Promoters 21 Article against the Bishop, are as do hear ensue, viz. That we object to you the Bishop of St. David's, that by the 123. Canon it is among other things Ordained that no Person using Ecclesiastical Jurisdiction &c.*

Yet you using Ecclesiastical Jurisdiction in your own Person, take upon you notwithstanding the Premises, to dispatch and execute Institutions, Collations, and diverse Juridical Acts both of Contentious and Voluntary Jurisdiction, without the Lawfull Register, his Deputy, or any other publick Notary being present, whereby it cannot appear that all things are rightly done, and the Oaths taken as the Law requires. Now as Bishops are not so much as once named in the Canon; so it is known to be a Rule in Law, That wherever there is an Enumeration of Persons or Particulars of several Ranks and degrees, which goes downward, beginning with the Higher, and ending with a Lower, and at last there is a General expression of others to be added and joyned with them, that then those others, are not to be of a Higher nor Superiour degree to that Person or particular, who or which are last Mention'd, but either of the same degree, or of a Lower and Inferiour. This Sir Edward Cook declares to have been and adjudged Case oftener than once. And therefore he having before him the Consideration of the Statute of Westminster the Second C. 41. Which saith, *Si Abbates, priores, Custodes Hospitalium, & aliarum domorum Religiosarum &c. If Abbots Priors, the Governours of Hospitals, or of other Religious Houses &c.* He doth thus Comment upon it, that seeing the Act begins with *Abbot's &c.* and concludes with the *Governers of other Religious Houses*, therefore Bishops are not Comprehended in it, because they are Superiour to Abbots, and that the words *other Religious Houses*, shall extend only to Houses Inferiour to them, which were mention'd before. Yea the same Sir Edward Cook hath declared himself further to the same purpose in the Arch-Bishop of Canterbury's Case, *ad este adjuge que Evêsques ne sont include deins le Statute* 13. Eliz. c. 10. it hath been adjudged that Bishops are not included in the Statute 13. Eliz. c. 10. Which saith, that Colledges, Deans and Chapters, Parsons, Vicars, and coneludes and others having Spiritual Promotions, that these last words cannot include Bishops for reasons given befor viz. upon the Stat. 31. Hen. 8. And the Author of the Summary View, being it seems fully sensible of the truth of what I have laid down in this Answer, did therefore rather chuse to Prevaricate as an Historian, and to report things partially and unfaithfully, than to be Guilty of the mistake and Ignorant blunder of the Promoter, in founding the 21 Article against the Bishop of St. David's,

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upon the *Hundred Twenty Third Canon*. But in the *Second Place*, I have this further to answer, That whereas it is made a Crime in the said *Bishop*, that he *Kept not a Registry* of what pass'd his Hand, it was no part of his Duty to do it, nor was it required of him by any *Canon*. I do find it Provided for, and Ordained, That there shall be *Registers and Registries*; and the *Hundred Thirty Fourth Canon* doth particularly Prescribe and Appoint, how *Registers*, their *Deputies* or *Substitutes*, shall be Proceeded against, and Punished, in case of their being Guilty of any Faults and Offences there mention'd : But I do no ways find it required, That *Bishops* themselves shall *Keep Registries*, or in the least Ordained, That upon their not doing it, they shall be Obnoxious to Ecclesiastical Censures. So that if the aforesaid *Bishop* was liable to any Blame for any Neglect in that matter, it must have been for his not having the *Register*, &c. with and by him, when he dispatched *Institutions and Collations*. And this being the Offence, whereof he is accused by the *Author of the Summary View*, I shall therefore in the *Third place* endeavour to to give a Full and Satisfactory Answer to that. Namely, That whereas *Thomas Povel* is reported to have Sworn, That the *Bishop* very frequently dispatch'd those things, without the calling him who was *Deputy-Register*, &c. I do in Reply thereunto say, That the *Bishop* was not obliged to Call him, but that it was his Duty upon all such Occasions, and at all such Seasons, to have Attended. Had this *Povel* Deposed, That he had waited on the *Bishop* at all such times, and that he had offer'd to perform whatsoever was incumbent upon him as *Deputy-Register*, but that the *Bishop* would not admit him to be present, and had commanded him to withdraw; he had then Sworn something that might have given a very just Suspicion, That Matters were not to be fairly managed and transacted. Whereas by his having only Deposed, That the *Bishop* did not always call for him; he ought to have been no otherwise accounted of, than as a Fellow, who sought to excuse his own Failures and Neglects, by charging Omissions on his *Diocesan* and Lord. And this we have sufficient Ground of Moral Certainty, as well as of Probability for, in that *Povel*, from 1688, to 1695, having been not only *Deputy-Register*, but also his *Lodship's* Secretary, and as such, and in that Quality and Station, having drawn and prepared all the *Instruments*

of every kind, which the *Bishop*, during that whole time, had occasion to cause Make, and to Grant, he might likewise have seen them Executed, if he had pleased. Nor could *Powel's* absenting himself, either throw his Attending on his own private Business, or throw his being hindred from being present, by reason of Sickness, have justified the *Bishop* in omitting to discharge the Duties of his *Episcopal* Office, or have warranted his putting off, and adjourning the doing of those things, which by Virtue of his Function and Character, he ought to perform and execute. And how unaccountable would it have been, both before God and Men, for the *Bishop* to have refused to perform and dispatch what his Office obliged him unto, because *Powel*, the *Deputy-Register*, either would not give Attendance, or was not in a Condition to do it? Nor can I here forbear to add, how that because of the Prosecution which had been commenced against the *Bishop*, and by reason of the Power, Authority, and Interest of those that were embark'd in, and who gave Countenance unto it, diverse of the *Bishop's* Servants, became not only backward in obeying him, but fell into all the Indecencies, Misbehaviours and Practices whatsoever towards him; by which, through expressing either their Contempt of, or their Enmity to his *Lordship*, they might court, and hope to gain the Favour of the Great, as well as of the many who had conspired together to Ruin him. Neither is it unworthy of Remark, that this very *Powel*, was one, whom the *Bishop's* Adversaries had so far prevailed upon, and drawn into the Combination with them, that his *Lordship* thought himself concern'd both in Prudence, and in Subserviency to his Safety, to dismiss and turn him away. By reason whereof, the said *Powel* becoming Provok'd, because as he thought, he was disoblighd, he was the more ready to run into all the Measures of *Lucy*, the Promoter. So that coming entirely under his Influence, Direction, and Conduct, and being withal, animated by a Principle of Revenge in himself, he undertook to Depose (without having the least Regard, whether what he Swore, was true or false) whatsoever either *Lucy* or himself, could hope to get the *Bishop* to be most Criminally affected by. But though I shall hereafter, (where I shall have a more proper occasion for it) not only fully lay open the Villany of this *Powel*, but demonstrate his having Perjur'd himself

himself in several Particulars of his *Depositions*; yet it will not be amiss here, and in this place, in a few words, to shew both how unqualified he was to have been admitted for a competent Witness in any Case or Matter whatsoever, especially wherein the *Bishop* was concerned; and with what hasty and inconsiderate Forwardness and rash Zeal he Swore, in reference to the Matter we are now discoursing of, and how grossly he prevaricated in his Deposition about it. And as it is very reasonable to believe, That he who would not do what was both just, and what his Station and Office obliged him unto, unless he were hired and brib'd, proportionably to the Extravagance of his own Desires, to the doing it; would be one who on the Provision and Assurance of being plentifully Rewarded, would not decline the doing things that were Evil, and which he ought not, in that Men are no less Offenders in the Sight and Account of God, by their Omissions of Duty, than their Commissions of Wickedness; so through our having Instances given us of his Guiltiness in the former way, we may without breach of Charity, be allow'd to suspect, he wou'd not be very scrupulous in becoming criminal in the latter. And it was offer'd in proof, That as he had been guilty of diverse enormous Crimes, and among others, of the Crimes of *Extortion* from diverse Persons, and on several Accounts; so that he had particularly oppress'd one *David Evans*, first in the wresting Money extortionally from him, and then in being the Cause of his leaving the Country, (which was to do all he could to the ruining him) because the Man had not enough for the answering *Powel's* unjust and exorbitant Cravings and Demands, in extorting from him what he would. Whereof the Story in brief is this. Namely, That one *David Evans*, of the *Diocess* of St. *David's*, having been *Suspended* for a *Clandestine Marriage*, in or about the Year 1691, and afterwards *acknowledging* his Fault, how that thereupon, the *Chancellor* of the said *Diocess*, or his *Surrogate*, declared himself willing and ready to *Absolve* the said *David Evans*, provided that this *Thomas Powel*, who then acted as *Deputy-Register*, *See the* was satisfied, and would consent thereunto. And that *Powel Bp.'s* *Allo-* being both thereupon applied unto, and having also extort-
ed from *Evans* Fifteen *Shillings* in Money, and a *Treat* which *gar. March*
cost Sixteen *Shillings*, as a *Bribe* for the giving his Consent *8. 1697.*

that *Evans* might be *Absolved*; yet that he the said *Thomas Powel*, refused to give his Consent that *Evans* should be *Absolved*, unless he would give him *Twenty Shillings* more, which *Evans* not being in a Condition to do, he was forc'd to forsake the Country, and accordingly did so. And as this *Thomas Powel*, was not quallified to have been admitted to be a *Witness* in any Case, or against any Person whatsoever, because of his being one that was Mercenary; and who, provided he were sufficiently Brib'd, would do what he ought not, as well as be obstinate in refusing to do what he should, in case he were not hired thereunto; so he was less quallified for the having been allow'd a *Witness* against the *Bishop* of *St. David's*, than against any other whosoever; in that as he reckon'd himself disoblighd by his *Lordship*: So it is plain from the whole *Tenor* of his Depositions, That what he Swore, was in Revenge. Nor can any who are not ill Men themselves, have that Partiality in his Favour, as to think he did not Swear very much at Random, and wilfully prevaricate in giving his Information, if they will but allow themselves to consider, how he hath Sworn, *That he brought a Book from London to have served for a Registry*; when it was most certain in its self, and known to most of those who knew him, *That he had never been at London*, during the time he lived with the *Bishop*. And though I will not from thence conclude, That he did therein wilfully Perjure himself, in that it may possibly be alledged in his Behalf, that though he did not bring it, yet he had it brought by some other Person: Yet I will claim the Liberty to affirm, That by such a Mistake in the wording of his Deposition, he cannot be thought to have Sworn considerately, and in Judgment, but with an unbecoming Rashness, if not a criminal Sophistry. Therefore seeing there may be some, who do think that all which can be fairly infered from thence, is only that he Swore inadvertently: I shall therefore subjoyn another Observation, with Reference to that Part of his *Deposition*, which we are discoursing about; by which it shall appear with an Evidence that will admit no Contradiction, that he Swore Maliciously, if not likewise Falsly, as well as Indiscreetly. In that having Sworn in particular, to his not having been called to attend *Mr. Medley's Institution* and *Collation* to the *Arch-Deaconary* of *St. David's*, he
further

further adds upon Oath, *That he believes there was no other Person present to see it.* Which as it was in him the Depos-
 and Swearing Maliciously, in that through not being there himself, he could not for that very Reason know, but that
 others might ; so it shews in those who took upon them the Juridicial Power in the *Process*, a strange Departure from
 all the Rules and Measures agreed upon, and established to be observed in Judicial Proceedings, That they would allow
 a Witness, to Swear not only to Inferences, which the Premises could not support, but admit him to Depose his Opinion and *Belief*, in the way of legal Evidence, and in the way of
 Knowledge and Certainty. For if Mens *Belief*, and especially that of Enemies, come once to be received in the room of legal Proof, there is not that Man in the World, though never
 so Innocent, who may not be convicted of being guilty of the greatest, and most capital Crimes. And should this
 Method of witnessing, be allow'd in *England* at this time, there are Hundreds of the Greatest and Best Men in the
 Kingdom, who must expect to be condemned upon the Sland-
 erous Accusations of such, who are so wickedly Impudent, as to declare it to be their *Belief*, That they are in a Com-
 bination and Conspiracy, to Betray and Sacrifice the Nation to *France*. For as a certain Faction of Men, have joyn-
 ed and united in a Conjurat[i]on, to asperse and calumniate a vast Number of People, (who are the best Subjects, as well
 as the truest English Men of any in the Nation) for being Traitors to the King and Kingdom, there remains nothing
 further needful, for introducing the *Proscription* of *Sylla*, and for turning the Nation in a common *Shambles*, but to pro-
 cure the having such to be vested with a Judicative Power of Trying those Pillars and Partizans of our Rights and Li-
 berties, and Patriots of our Church, as it is by Law established ; who will admit and receive the avowed, as well as
 pretended *Belief* of their Defamers and Accusers, for good and legal Evidence, upon which to condemn them. And in
 that Case, it would be all one with Respect to the Issue and Consequence, whether they who do thus Slander, and di-
 vulge this as their Opinion of them, do really *Believe* what they say, and publicly Report and Print of them, or not ;
 seeing by the *Precedent* set us in the Case we are discoursing about, it will have and produce the same Effect, if they do
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but affirm that they *Believe* it, though in reality they do not. Nor can there be any other Difference between those of the one sort, and them of the other, save that they who pretend to *Believe* what they do not, are the greater Villains; while they who take up a *Belief* without Ground or Reason, are only weak and credulous Fools, though pernicious ones. But whereas in reference to *Powel's* Testimony against the *Bishop* of *St. David's* in the foregoing matter, it may be alleged, That in the Depositing his *Belief* to be so and so, he

Ubi supra. also assigned the Reason of it, namely, *That his Lordship on a Tryal at the Assizes held at Carmarthen, where he stood Indicted for Collating Mr. Medley to the Arch-Deaconary of St. David's, without administering the Oaths, unto him, which the Law requires; having no Witnesses to produce, for his having Given, and for Mr. Medley's having Taken the said Oath, was forced to vindicate himself, as to the one and the other, by his own Personal Oath:* To which I shall at present return a very Short, but I hope a Satisfactory Answer. For being obliged to set the whole Proceeding of the *Bishop's* Collating *Mr. Medley* hereafter in full and true Light, and not being willing to anticipate my self therein here, I shall therefore in this Place, only say, That as notwithstanding all the Malice of his *Lordship's* Enemies against him, there is not so much as one single, or individual Instance assigned, or brought into Proof, of his having Dispatched any *Institution* or *Collation*, where some qualified in Law, were not present, to Attest, and to be Witnesses of, and unto it; so I may venture to add, That the *Bishop's* having Deposited upon Oath, and his being still ready to do the same, That there were never any Sinistrous Practices at the times of *Institutions* and *Collations*, nor the Administration of any *Oaths* omitted, which the Law Required, ought, and should have been of more Weight and Credit before any Impartial Court, than the Depositions to the contrary, of Twenty such as *Powel*, upon Surmise, Inference, and pretended Belief, would have stood allow'd to be. And as it not only too evidently declares, but shamefully proclaims, with what Indignation some Men were possessed against the *Bishop*, and upon what Principles of Pique and Revenge they pursu'd him, that contrary to all the Measures of Justice, he should for one and the same pretended Offence, be at the same time, Prosecuted both in a Civil Court, and in an Ecclesiastical:

stical: So it can never redound to the Credit of the *Arch-Bishop of Canterbury*; and of those who were *Affessors* to him in the Proceedings against the *Bishop of St. David's*, that his *Lordship's* being acquitted in the *First*, should be of no Avail for covering him from the Violence of the *Second*; and that what our *Judges at Common Law*, received and accepted as sufficient Reason and Ground for his being acquitted at their *Tribunal*; should have had no Influence upon his *Metropolitan*, and his *Comprovincial Bishops*, neither for the absolving him at theirs, nor for the moderating their Wrath against him. On which, all the Reflection I will make at this time, shall be this, That as *Theologorum odia sunt acerbissima*; Divines are of all Men the most Wrathful and Implacable towards one another; So *Illorum odiorum causæ sunt acriores, quia sunt iniquæ.* Tacit. Anal. Lib. 1. And with this I put an end to what I had to say in way of Reply to the *Author of the Summary View*, with respect to the several Scandalous things, whereof the *Bishop* stands accused, and with which he is aspersed by that *Writer* under the *Head*, said to contain Offences of many kinds.

So that I do now proceed to an Examination of what hath been published by the *Author of the Summary View*, in relation unto, and concerning the next *General Crime* charged on the *Bishop*, which is his having demanded and taken from the *Summary Clergy of his Diocese, excessive and illegal Fees for Ordinations, View. Collations, and Procurations*: And that this *Practice of his*, was P. 15. so general and notorious, that by his own Acknowledgement, he was Indicted in the *Temporal Courts* for it. And before I enter upon the Survey and Detail of the many Accusations of that kind laid against his *Lordship*, or do apply my self to the vindicating him from every one of them in particular, I shall premise several things in general; which shall not only serve to the bringing the *Reader* into a more distinct and full acquaintance with this whole matter; but shall carry in them, enough both to justify the *Bishop's* Innocency, as to those pretended Offences, with, and for which he hath been aspersed and caluminated, and be sufficient to convince all who are not under the Power of Prepossession and Prejudice, that nothing save Malice and Revenge in the *Promoter* and his *Agents*, and Pique in him who assumed the jurisdictional Power, could from thence, and from the *Bishop's* supposed Guiltiness therein, have either found matter for the forming and preferring
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of *Articles*, or for the making it a Part of the Ground and Foundation of the *Sentence* that was pronounced against him. And the *First* thing which in order thereunto, I am to *premise* and observe, is how that in all the several Cases and Particulars, wherein the *Bishop* hath been accused for *exact-ing excessive and illegal Fees*, there was both by *Law* and *Canon*, a Right vested in, and a Liberty granted unto him, for the demanding and taking *certain Fees*; and that such *Fees* have been (and still are) claimed and received by all other *Bishops whatsoever*, and even by his *Grace* the *Arch-Bishop* of *Canterbury*, from the *Clergy* of their several and respective *Diocesses*. Nor from this ever question'd, and much less denied, with reference to any of the Cases, wherein the *Bishop* of *St. David's*, hath been accused for exacting more than by *Law*, *Canon*, or *Custom*, was due; save in relation to the *Administring of Sacred Orders*. And as the *Bishop's* being *Articulated* against, for *demanding and taking excessive and illegal Fees*, carrieth in it an Acknowledgement, That he was allow'd to *take certain Fees*, but that they were to be such as were not exorbitant and oppressive; so in the single and alone *Case*, wherein the receiving any *Fees*, seems by the *Canon*, to be wholly prohibited: There is nevertheless upon that Occasion, and with relation even to that Transaction, something admitted to be taken, though not for, and by reason of the *Sacred Action* of *Ordaining Priests or Deacons*. For tho' the *Hundred and Thirty Fifth Canon*, upon which the *Promoter* founded his *Eighteenth Article* against the *Bishop*, doth (as there recited) Provide and

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Ordain, That no Fee or Money shall be received either by the *Arch-Bishop*, or any *Bishop* or *Suffragan*, either directly or indirectly, for admitting any into *Sacred Orders*: Yet that very *Canon* doth nevertheless admit the taking of certain *Fees* for things which are upon that Occasion, and in Consequence of the *Admission of Persons into Sacred Orders*, needful to be done, and doth accordingly limit what these *Fees* shall be, in Providing and Ordaining, That no other Person or Persons, under the said *Arch-Bishop*, *Bishop* or *Suffragan*, shall for *Parchment*, *Writing*, *Wax*, *Sealing*, or any other respect thereunto appertaining, take above *Ten Shillings*. For as the *Ordaining* a Person to be a *Priest* or *Deacon*, is not only distinct, but vastly different from the *Giving* him *Letters* or *Instruments*, by which his having been regularly and legally *Admitted* into *Holy Orders*,

ders, is *Certified* and *Declared*; so both the *Laws* of the Kingdom, and the *Canons* and *Constitutions* of the Church, do allow that to be just and expedient, as well as lawful, for, and because of the *latter*; which with relation unto, by reason of, and upon the Score of the former, they make and declare, to be *Simoniacal*. So that how strict soever, either the *Laws* of the Realm, or the formention'd *Canon* of the Church of *England*, are against the Taking of Money, either for *Ordination*, which is *quid Spirituale*; or for a *Presentation* to an *Ecclesiastical Benefice*, which in the Church of *England*, (where there is no *Ordination* of any Man allow'd *sine Titulo*, the *Officium* being made and declared inseparable a *Beneficio*) is held *quid Spirituali annexum*; and whatsoever Censures or Penalties, they do render those obnoxious unto, who shall be legally convicted of being Guilty of the one or the other; yet it so is far from being either prohibited, or made punishable, to take Money for those *Writings* or *Instruments*, which are called *Letters* of *Orders*: That the Sum, which may, and shall be Taken, is expressly defined and limited. And as the *Bishop* of *St. David's*, was never guilty of the *former* in any Instance whatsoever, (how much soever he hath been aspersed and caluminated, and from all which Aspersions and Calumnies, he shall hereafter be fully vindicated) so he neither ever took any Money himself for the *Instruments Certifying Ordinations*; nor did he allow his Servants to receive any more, than what was permitted and directed by the *Law* and *Canon*; as shall be likewise made evidently appear, when I come particularly to justify his *Lordship* from all whereof he hath been accused in the matter about *Ordinations*.

Having therefore said enough in the way of my *First Promise*, I do now proceed to a *Second*, which shall particularly respect and bear a Reference to the *Fees*, which may be demanded and taken for *Institutions* and *Collations*. And that which I have to observe concerning them is this, that there being neither *Law* nor *Canon*, that Appoint and Determine the *Proportion*, in which these *Fees* shall and may be claim'd, and receiv'd in *all*, and in *every Diocese* of the Kingdom; that therefore the Measures, Degrees, and Rules, in, and according to which they may be demanded and taken, must be accounted to stand *Regulated* by the *Custom*, which hath obtained, and been used in this or that *Diocese*, respectively
Y and

Lib. 2. c. and severally. And as in Cases of that kind, *consuetudinis, quæ sit usque longæ non vilis est autoritas*; the Authority of long and long. conf. constant Practice, is always held to be of great Weight and Moment: And that in *ambiguitatibus quæ ex legibus proficiscuntur, consuetudo vim legis obtinet*; wheresoever either through want of Laws, or by reason of some Obscurity in them, Difficulties and Uncertainties are occasion'd, and do arise; that then, there, and in all such Cases, Custom shall be allow'd to have the Power and Force of Law: It will both serve to the justifying the Bishop, with relation to all the Fees of those kinds, which he required and received; and will also vindicate him from all whereof he hath been accused; provided it can be made appear, (as it fully shall in what is speedily to follow) that he entirely Governed himself in his Demands and Receipts of those Fees, by, and according to the Practice of his Predecessors, and what had been the Custom in the Bishoprick of St. David's. Nor need I here to insist much in observing, That as the Laws, by which we in England stand Govern'd, are such, either by Vertue of Acts of Parliament, or that they are such, which by reason of antient and long Custom, have acquired the Name of Common Law, and which in all Matters and Cases, where Acts of Parliament have not interposed, and concerning which there are no Enacted Laws, are of the same Authority, that the Statute-Law is; only it will not be amiss to take notice, That as there are Customs which are National, and which extend unto, and obtain through the whole Kingdom; so there are certain Topical Customs, which though they are not of that extent as to reach the whole Nation, and to have the Force of Laws in all Parts of the Realm; yet they have such an Authority where they have been received, That both the Practices of Men, and the Judicial Procedures of Courts of Judicature, in those Places, and with References to Transactions within those Circuits, ought to be Regulated and Govern'd by them. And therefore, as that which had been the Custom, with respect to the foremention'd Fees, in the Diocess of St. David's, and what had been there justified, as well as the common Practice of the best of his Predecessors, was to be the Measure and Standard by which Bishop Watsen ought to have Guided himself in that Affair, so I will take the Liberty to say, That it would in Justice have become them who claim'd a Jurisdiction in relation to the Pro-
cesses,

cess, that had been commenced against that *Prelate*, to have made this the *Rule*, by, and according to which, they should have judged of his *Lordship's* Behaviour in that matter. Nor can I avoid believing, but that when it is undeniably made Good, (as in what remains to be said on this Head, it unquestionably will) that in his demanding and taking of those *Fees*, he never exceeded what had been *Customary* in that *Bishoprick*, but that thereupon, instead of his continuing to be accounted so heinous an *Offender*, as the great *Metropolitan* hath by his *Sentence* declared him to be; his *Grace's* *Judicial Proceedings*, will come to be not only less Honourably esteemed, but to be reflected upon with greater Severity, than his Friends could have wish'd he had administred Occasion for.

But I desire to be allow'd to premise further in the *Third* Place, That in no *Diocess* of *England* whatsoever, are the *Fees* for *Institutions* and *Collations* more moderate, than they are in the *Bishoprick* of *St. David's*. And if his *Grace* of *Canterbury*, do make what is taken in that *Bishoprick*, to be an *extorting of excessive and illegal Fees*; I would fain know what words of *Disgrace* and *Infamy*, he will find, by which to call the *exorbitant Exaction* of those *Fees*, as they are *Claim'd* and *Receiv'd* in other *Diocesses*. And were not some Men readier to see a mote in their Brother's eye, than a beam in their own, his *Grace* might have observed something more criminal of this kind, at *Lambeth* and *Doctor's Commons*, as well as in other *Bishopricks*; than ever was in *Bishop Watson's* time practis'd at *Aberguilly*, or *St. David's*. But I am not willing to lay open and expose, the Weakness, if not the Fault, chargeable upon the *Arch-Bishops* and *Bishops* of the Church of *England*, by reason of the *Fees* of the foregoing kinds, which are by them Claimed and Received; and shall therefore confine my self to the observing, how in the very *Diocess* of *Canterbury*, the aforesaid *Fees*, do far exceed what they are in the *Diocess* of *St. David's*. And though I could easily carry the Inquiry and Comparison further, as for Example, That whereas the *Fees* for a *License* in the *Bishoprick* of *St. David's*, are only *Thirteen Shillings* and *Four Pence*, there are no less *Fees* demanded and taken for the same, in the *Bishoprick* of *Norwich*, than *Three, Four, or Five Pound*: Yet I will not only restrain my self to the giving an Account of the Difference and Disproportion of those *Fees* in the *Diocess* of *Canterbury*, from what they are in the *Bishoprick*

of *St. David's*, but I will also be very Brief and Compendious in doing it. Being one who not only out of Compassion to such as come to be admitted into Holy Orders, but who by reason of the Regard I have for the Honour of the Church of *England*, do heartily wish, that these *Fees* might be every where reduced from what they are: And that as the *Standard* for exacting them, might be *Uniform*, and one and the same in *all Diocesses*, so that also *less* might be made payable every where, on those Accounts, than the *lowest Demands* do in any place at present, arise unto. Whereas then, the *Fees* in the *Bishoprick* of *St. David's*, are *Four Pound One Shilling*, for *Institution*; *Six Pound One Shilling*, for a *Collation*; *Thirteen Shillings* and *Four Pence*, for *Sequestration*, *Relaxation*; and a *License*; and *Five Shillings*, for *Subscription*; therehath been Demanded and Received at *Lambeth*, and at *Doctor's Commons*, above *Seven Pound*, for a bare *Institution*; and above *Ten Pound* for a *Collation*. Which is both the more to be wondered at, and to be held for the greater Offence, in that it is not only an Innovation from what was practised in *Arch-Bishop Laud's* time, but an Exaction of very much more, than was under him, Demanded and Paid. But as the *Bishop* of *St. David's*, hath not in the least departed from what was the Rule and Custom observed before in that *Bishoprick*; nor hath not in any one Instance, exacted more, than what the best of his Predecessors Demanded and Received: So it may be Matter of Astonishment, how he comes to be *Deprived* for that, for which others were never complain'd of. Seeing though the present *Bishop* might (to his own Loss) out of Compassion to some, and Friendship to others, have abated of what was Payable by the *Custom* of the *Diocess*, yet without the being Injurious to those who should succeed him in the *Episcopal* Dignity, and Office in that Place, he could not make an Universal Innovation in the aforesaid Matter, by the Reduction of those *Fees*, to lesser Sums and Proportions, than what has been antiently and customarily Paid. Nor could he imagine himself liable to Calumny and Censure, when in no Instance whatsoever, had he ever exceeded what had been usually Required and Received. Whereas therefore a certain Great Person, hath forgotten the usual Saying of *Turpe Doctoria, cum culpa redarguit ipsum*. I thought it not amiss to give him a short Practical Commentary upon the words of *Solomon*; *He that*

that is first in his own Cause, seemeth Just, but his Neighbour com- Prov. 18.
eth and searcheth him. 17.

But to proceed to that which I have to *promise* in the Fourth Place, Namely, That such was the *Bishop's* Care he might not exceed either in Demanding or Taking more than had been customarily Paid, that he applied himself both with Industry, and as soon as possibly he could, to the getting a Table of those *Fees* from such, as he had reason to believe were ablest to give him one. Whereas, had he intended to exact above what was *legally* due, he would have chosen, as well for the covering himself from dayly Publick Reproaches, as for the avoiding the Rebukes of his own Mind, to have lived in a profound Ignorance of that Matter, though it had been an affected one. But to have been both inquisitive what he might legally Require and Receive, and also to have Ordered that the *Fees*, which by antient *Custom*, were to be Demanded and Taken, should be openly Declared and Signified, and yet to have been either inclined unto, or have practised the taking of more, was such a Contradiction to common Sense, that he must have been a Fool, instead of being a Knave, that could have done so. For as they whose *Deeds are evil*, do always hate the Light, so they are seldom thought disposed to perpetrate, either what is Treacherous, or Oppressive, who are willing to have those Rules which are appointed for the Measures of their Behaviour and Conduct, to stand both in their own View, and of all Men else, with whom they have occasion to be concerned. Nor can we have a more convincing Proof of the *Bishop* of *St. David's* having firmly resolved from his first coming into that *Diocese*; to Govern himself in the Exaction of those *Fees* that should be Demandable for *Instruments* of any kind, by the Custom and Practice of such who had been his Predecessors in that *See*, than that *Mr. Slingsby*, who was then his *Secretary*, did by his Lordship's Order, require from, and had accordingly delivered to him by *Mr. Lucy*, (who is now the *Promoter*) a particular and exact Account of the several *Fees* Payable for *Instruments*, viz. Four Pound One Shilling, for *Institutions*; Six Pound One Shilling, for *Collations*; and for *Sequestrations*, *Relaxations*, and *Certificate-Licenses* to Preach, Thirteen Shillings Four Pence, for each *Instrument*. And as *Mr. Slingsby* hath Deposed this upon Oath before a *Master of Chancery*, (not having been admitted to do it elsewhere) and with-
all,

all, that he accordingly, by his *Masters* Authority, and for his Use, Received them in the Proportions mentioned : So he hath also Sworn, That it was the *Bishop's* Express Command to him, That he should neither Demand, nor Receive above the Rates which have been Specified. Yea, such was his *Lordship's* Care, there might be no Mistake in that Particular, That he caused him to Search both the *Registry* of *Canterbury*, and that of his *own Diocese*, in order to have found whether there were any Authentick *Tables*, directing and limiting the several and respective *Sums*, in which the aforesaid *Fees* were Payable; but that finding none in either of these *Registries*, he was forced to acquiesce in what had been customarily Paid in the *Bishoprick* of *St. David's*, as the only *Rule* that was left for his Guidance and Conduct in that matter. And that he might not through Ignorance, either lose what he had a Right to Demand and Take, nor Exact more from his *Clergy* than what by antient Usage and Customs, they were bound to Pay, he not only sent to *George Lucy*, the *Register*, to know what the usual *Fees* were, who return'd for Answer to his *Lordship*, that the *Fees* were as I have above mentioned; but he likewise wrote to *William Williams* of *Brecknock*, Gent. to Inquire of Mr. *Robert Lucy*, (the *Promoter*) what the Legal *Fees* had usually been; who having made the said Inquiry of *Lucy*, in the Presence of *Thomas Powel* *Deputy-Register*; and being informed by both of them, that the *Fees* were as have been already Specified, he the said Mr. *Williams*, Transmitted an Account thereof, by Letter to his *Lordship*, who was then at *London*. Nor is it unworthy of Remark, (as being that which ought to vindicate the *Bishop* from all Suspicion of having ever had the least Inclination of acting extortionally in the matter of *Fees*) how that being surpriz'd to find the *Fees* for *Collations*, so far to exceed the *Fees* for *Institutions*, he thereupon endeavour'd to inform himself, whether that was peculiar to the *Bishoprick* of *St. David's*, or whether it did not also obtain in other *Diocesses*. And as upon a very little Examination thereof, he found the same Difference, if not a greater, observed in other *Diocesses*, between the *Fees* Demanded for *Collations*, and those requir'd for *Institutions*, than ever was practis'd in the *Bishoprick* of *St. David's*: So it is expressly Deposited by Mr. *Charles Price*, That he had not only been assured, That in the *Diocesses* of *Worcester*,

Wm Williams, the
Bp.'s 46.
Wim. Ans.
to Interrog.
Artic. 12.

cester, Winchester, and Oxford, the Fees Taken for Collations, The Bp.'s
 were double to those taken for Institutions; but that he the 48. Wim.
 said Charles Price, having, during the Vacancy of the Bishoprick Ans. to In-
 of St. David's, become Entitled to the Vicarage of Bough- terrog.
 rood in that Diocese, paid almost twice as much at Doctor's 12.
 Commons for his Collation Fees, than he paid for Institution Fees 1698.
 at Lambeth. Whereunto, I desire Liberty here to add, That
 as the Bishop took all imaginable Care for being informed,
 what the Fees for the several and respective Instruments were,
 which according to Custom, might be lawfully Demanded and
 Taken: So he was always no less positive and uniform in his
 Directions and Commands, given to those whom he Autho-
 riz'd and Entrusted to Receive them, that they should not
 Claim nor Take above what had been the wonted and usual
 Rates and Proportions. For even Thomas Powel, one of the Promoter,
 Promoter's chief Witnesses, and who had been Secretary to the 29. Wim.
 Bishop after Mr. Slingsby, hath Deposed upon Oath, how that
 the said Bishop in a Letter to him, bearing Date Dec. 22d.
 1688, had Order'd and Directed him the aforesaid Powel, to
 Require and Receive those Fees, after the Rate of the Sums
 following. Namely, 3 l. 16 s. for every Institution, 5 l. 16 s.
 for every Collation, 5 s. for every Subscription; and for Seque-
 strations, Relaxations, and other Instruments, 13 s. 4 d. for each
 of them: Which by the way, was less, than according to
 Custom, his Lordship might have caus'd to have been Demanded.
 And accordingly, Robert Douglas, a Witness for the Bishop, hath
 likewise Sworn, That while he served his Lordship, he did by The Bp.'s
 his Command, Demand and Take 4 l. 1 s. for every Institution, 47. Wim.
 on, 6 l. 1 s. for every Collation; and for Sequestrations, Relaxa- Ans. to In-
 tions, and Certificate-Licenses to Preach, 13 s. 4 d. for every terrog. ad
 one of them. Moreover, Welfray Pezement, Gent. hath also Artic. 12.
 Deposed, That the Bishop of St. David's, usually took 4 l. 1691. The
 1 s. for Institution, and for Collation, 40 s. more than for Bp.'s 46.
 Institution; and for the other foremention'd Instruments, 13 s. Wim. Ans.
 4 d. for each. Finally that I may conclude this Premise, I am to Interrog.
 only to take notice, That Charles Price hath Deposed, how that ad Artic.
 Thomas Powel, the Deputy-Register, had not only told and assu- 12.
 red him, that there were 40 s. more due for a Collation, than The Bp.'s
 for an Institution; but that the Bishop in his Taking of Fees, 49. Wim.
 kept constantly to the Rules which have been mention'd: And Oct. 10.
 that he never exceeded the Rates that we have been forc'd so 1698.
 often

often to repeat. All which being duly consider'd by Men of Probity, and such as are Impartial, must undoubtedly influence them, if not to have a much better Opinion of the *Bishop*, than either the great *Metropolitans*, or the *Writer* of the *Summary View*, will be well pleased to have them entertain, at least to suspend condemning him upon the Allegations produced by that *Author*; until I come particularly to examine, and to give an Answer to them. And without departing from the Rules and Measures, either of Modesty or Truth, I may venture to say, That upon the Propositions and Principles already laid down, I shall not only find an easie Task of it hereafter, to set aside most of the Complaints against the *Bishop*, in Reference to his having exacted illegal and excessive Fees; but shall also have whereby to shew and expose this *Author*, as the most trifling and impertinent *Writer*, that ever put Pen to Paper: And that in most produced by him on that Head, he hath no less Published his Weakness, than this Malice against the *Bishop*.

p. 1. And therefore I will now go on to what I have in the *Fifth Place* further to *Premise*; Namely, That the *Bishop* of *St. David's*, having been both Inquisitive into, and after the Exaction of Illegal and excessive by others, and having endeavour'd by Rebukes and Censures, as well to prevent, as to correct that Enormity, may, and doth give us just Ground to believe, that he never intened to be Guilty of that Crime himself. And whereas the *Author* of the *Summary View*, hath in way of Raillery and Reflection on that *Prelate*, been pleased to tell us, That he was once an *University Tutor*, (which by the way, is so far from being a Disparagement to any Man, that many of our *Bishops* heretofore, have not only had their having been such, mention'd to their Honour, but have therein laid the first Foundation of their future Elevation to the highest Dignities of the Church) that *Writer* might have also remembred, That through his having been so, he must needs have become acquainted with the vulgar Saying, That *qui alterum incusat probri, seipsum intueri oportet*, Who accuseth another of an Offence or Crime, ought to be sure that he is Innocent thereof himself. Nor could his Lordship even by reason of that Employ, have been ignorant of what the *Roman Orator* tells us, viz. That *non modo accusator, sed ne objurgator quidem contr. ver. ferendus est, qui quod in alio vitium reprehendit, id in ipso reprehenditur*:

heditu: He is not to be allow'd to reprove that as an Offence in another, much less to accuse him for it, of which he is known himself to be Guilty. And if that of the Poet had not stared him in the Face, as he was a Tutor;

*Egomet mi ignasco Mænius inquit.
Stultus et improbus hic non est dignusq notari.*

*Horat.lib.
1. Sat. 3.*

Certainly that of the *Apostle* must have struck him with Terror as he was a *Divine*; *Thinkest thou O man, that judg- Rom. 2. 3.*
est them which do such things, and do'st the same, that thou shalt escape the judgment of God. But it is remarkable, that the *Bishop*, upon Complaints made to him of the Arbitrary Exaction of *Fees* by *Lucy*, (who is now the Promoter) and of the Illegal and Oppressive Demands, made by the *Chancellor*, and other *Officers* of the *Court of Brecknock*, for *Institutions*, *Collations*, &c. took care first to procure, and then caused a *Table* of those *Fees* that were Legally due, to be set up in the *Consistory Court* there, that so none might dare to Demand, nor any through Ignorance, pay more, than what the Law, and the antient Custom of that Place, Authoriz'd. And whereas his *Lordship* had been also informed, that the *Exactions* for *Fees* in the times of *Bishop Lucy*, *Bishop Womock*, and *Bishop Thomas*, had been both Arbitrary and Excessive, and that *Lucy* the *Promoter*, and diverse others, had been heinously and oppressively Criminal in that Matter, he thought it his Duty to have that Scandalous, as well as Clamorous Grievance, redressed. And lest the erecting of the foremention'd *Table* of *Fees*, might not be sufficiently effectual to the suppressing of that Oppression, he not only gave *Monitions* to several of those who were said to be most Guilty, and particularly to *Robert Lucy*, but he also Suspended the said *Lucy's Deputy*. And that the Reader may not take this to be said merely in way of Recrimination, I shall here subjoyn a few Instances thereof, out of many, and they shall all of them be such, as have been actually brought into Proof. As that *Griffith Evans*, for a bare *Collation*, and a *License to Preach*, 7 *Witm.*
from *Bishop Lucy*, paid the Sum of 10 *l.* to his Son *Robert*, *Ans. to Interrog.*
the present *Promoter*. And that *David Evans*, for a single *The Bp.'s*
Collation from the same *Bishop*, had not only paid 7 *l.* 10 *s.* 13 *Witm.*
to the said *Robert* his Son, but that *Robert* also demanded,

and would have had *Evans* to have promised him 4 *l.* more. As likewise that *Samuel Jones*, for a *Collation* from *Bishop Lucy*, paid 8 *l.* to the aforesaid *Robert* his Son, besides 20 *s.* for a *License* to *Preach*: And that the same *Jones*, for a *Collation* from *Bishop Thomas*, paid 10 *l.* to *John Thomas*, who was Son of the said *Bishop*; and that for his *Letters of Orders* from *Bishop Lucy*, he paid between 30, and 40. *s.* to *Nicholas Davies*, who was *Secretary* to the said *Bishop*. That *Evan James*, for a *Collation* from *Bishop Thomas*, paid 8 *l.* and upwards, to *John Thomas* his Son; and that for *Letters of Deacon's*, and for *Letters of Priest's Orders*, from *Bishop Lucy*, he paid 15. *s.* for each, to *Robert Lucy*, who is now the *Promoter* in this Cause. And that *John Davies* for a single *Collation* from the foremention'd *Bishop Thomas*, paid 9 *l.* odd *Shillings*, to the aforesaid *John Thomas* his Son and *Secretary*; and likewise 14 *s.* for a *License* to *Teach* a *School*. As also that *Howel Griffeth*, for a bare *Collation* from the same *Bishop Thomas*, paid 7 *l.* to *John Thomas*; and that withal, over and above, he paid *Fees* for a *Sequestration*. Likewise that *David Davies*, for a *Collation* from *Bishop Thomas*, paid 7 *l.* to *Rice Owen*, who was his *Secretary*. As also that *Francis Beal*, for a *Collation* from *Bishop Lucy*, paid 10 *l.* to his Son *Robert*, the *Promoter* in this Cause. And that *Thomas Herring*, *Vicar* of *Aberiskar*, for an *Institution* from *Bishop Womock*, paid between 7 and 8 *l.* to *Thomas Powel*, who was lately *Deputy-Register*, and a *Malicious Witness* against the present *Bishop*. As likewise that another *Thomas Herring*, who is *Vicar* of *Merthir*, having been *Ordained* by *Bishop Lucy*, paid 33 *s.* to his Son *Robert*, for his *Ordination Fees*. And that *Nicholas Roberts*, for an *Institution* from *Bishop Lucy*, and for the *Instruments* thereunto appertaining, paid 12 *l.* to the foremention'd *Robert Lucy* his Son. And that *Lewis Goze*, *Vicar* of *Bravod*, being *Ordained* by *Bishop Lucy*, did pay to *Mr. Roberts*, who was *Secretary*, or *Deputy-Secretary* to the said *Bishop*, 50 *s.* for his *Letters of Orders*. As also that *William James*, paid *Bishop Lucy*, or his *Secretary*, 2 *l.* 3. *s.* 4. *d.* for his *Ordination Fees*. And that *Leoline Powell*, for an *Institution* from *Bishop Lucy*, paid 10 *l.* and upwards, to *Robert Lucy*, his Son and *Secretary*. And that *Richard Swayne*, being *Ordained Deacon* by the said *Bishop Lucy*, for his *Letters of Orders*, and for a *License* to *Baptize*, and one to serve a *Cure*, paid 2 *l.* 3. *s.* to *Robert Lucy*.

Lucy: And that one *Mr. Hall*, who was likewise *Ordained Deacon* at the same time, paid also 2 l. 3 s. to the foremention'd *Robert Lucy*, for his *Letters of Orders*, and withal, 16. s. more for a *License to Preach*. And that *Lewis Davies*, being *Ordained Deacon* by the aforefaid *Bishop Lucy*, for his *Letters of Orders*, - and for a *License to Baptize*, paid to *Robert Lucy*, 1 l. 10 s. And that the said *Robert* demanded more.

But to enlarge no further in the giving Instances of the exorbitant *Fees*, which were Demanded and Taken formerly in the *Bishoprick* of *St. David's*, under the Guilt of many whereof *Robert Lucy* appears to have been involved; I shall only add Two Instances of the said *Lucy's* Criminalness, in the way of *Bribery*. And the First shall be that which we have Deposited by *Thomas Williams*, *Vicar* of *St. Harman's*, Namely, The Bp.'s
How that *William Williams*, *Father* to the said *Thomas*, for 41 Wm.
the obtaining a *Dispensation* from *Bishop Lucy*, to succeed his *Father*, who was *Grandfather* to *Thomas*, in the *Vicarage* of *Lan-* Ans. to In-
navonvour, paid 20 l. as a *Bribe* to *Robert Lucy*, the *Bishop's* Artic. 12.
Son; and yet, how that notwithstanding of the Payment thereof, the *Dispensation* was by him never actually procured: As may be seen, together with a great deal more of the said *Lucy* the *Promoter's* Villany's, in the aforefaid *Deposition* of *Thomas Williams*. And for the *Second* Instance I have promised to give of that kind, it shall be taken from the *Deposition* of *Mr. Thomas Griffith*, of *Clirow*, in the County
of *Radnor*, *Gent.* Who Swears, how that one *Thomas Powel*, The Bp.'s
who was *Brother-inLaw* to him the said *Griffith*, having a Dis- 32 Wm.
ference with another about the *Right of Presenting* to the Ans. to In-
Vicarage of *Glasbury*, gave 20 l. to *Robert Lucy*, for to gain terrog. 12.
the *Bishop* his *Father*, to decide the *Controversie* in Favour of *Powel*; and that for, and in Consideration of the said *Sum*, he undertook the doing of it, and accordingly did; as may be likewise seen, and also more of the said *Lucy's* Roguery, in the *Deposition* which I have mention'd. Now if any of the *Clerical Tribe* shall be offended at my having detected so many scandalous Practices of former *Prelates*, and of their *Ecclesiastical Officers*; I do assure them, that I have done it, neither out of Prejudice to those of the *Spiritual Orders*, nor to detract from the good *Fame* and Reputation, which those *Bishops* whom I have mention'd, may have left behind them: But it is what I could not avoid, without being extremely

deficient in the Performance of that which I have undertaken. And if any Infamy redound to the Memory of some who are Dead, or Disgrace fall upon others Alive, by it, they who have forced me unto, and have extorted it from me, must bear the Blame. Seeing that otherwise, I could neither have done the *Bishop* of *St. David's* the Right, which in Justice I owe him; nor so fully have laid open the Unrighteousness, as well as the Partiality of some People in their Judicial Proceedings, which for the Satisfaction of unprejudiced Readers, I am obliged unto. And when I consider the juridicial *Precedent*, first of *Blackning*, and then of *Depriving* the *Bishop* of *St. David's*, for Offences, of which there was no Legal Evidence sufficient to convict him; while at the same time, his Enemies (though proved undeniably Guilty of the Crimes, with which he was barely aspersed) were Carressed and Recompensed: I am the less surpris'd, to find that *Original* transcribed and imitated in so many Copies. And that so many Vertuous Persons in the Nation, have of late, been branded with the Crimes, which are peculiar to them who have accused and libelled them. Nor is it unlikely, but that the Quality of those concerned in the First, gave Encouragement to such as have been engaged in the latter. And that the Noise of *Stop Thief*, which has rung through the Kingdom, was begun by the Pick-Pockets and Robbers, in order to their own escaping the being pursu'd and taken. So that it is not only come to the case, That *prosperum scelus, virtus vocatur*; but that the Criminals who have the Impudence to Calumniate and Defame such as are Innocent, instead of being thought Punishable, they are by those of a certain Faction, held to be the Men of all others, who deserve to be Trusted and Preferred.

But to proceed to a *Sixth* thing, which I am yet further to observe in way of *Premise*, viz. That the *Bishop* of *St. David's* forbearing in diverse Cases to exact what was really due to him, and his having never Sued, nor Commenced an *Action* at *Law*, against any who were in *Arrear* to him for *Fees*, (as several are) may abundantly convince all that are not obstinately prejudic'd, (and for the Conviction of such, no Means whatsoever will be sufficient) that he is neither the Covetous Wretch, nor the Heinous Extortioner, which he hath stood represented, and accused to be. Nor is it credible, That he
who

who should either omit the Demanding what the Law had entituled him unto, or decline the prosecuting of those, who had not paid it, could be a Person, who would require and exact more of any, than he had a Right to claim. And forasmuch as there are many Instances both of the one, and the other, it will not be amiss to say something in reference to each of them. And as to his *omitting* in several Cases to *Require* and to *Receive*, what the Law had given him a Power to Demand and Take, I shall uncontrollably prove it from, and by the Testimonies of those, to whom he had been thus Merciful and Indulgent. For Mr. Henry Powel, Vicar of *Lan-* The Bp.'s
gadock, hath Deposed upon Oath, That the *Bishop* having be- 15 Wm.
stowed several Ecclesiastical Preferments and Benefices gratis upon Resp. ad
him, neither did, nor would Receive so much as the Fees, for some Artic. 2 m.
of the Collations. Nor is it unworthy of Remark, how that by the Confession of the *Bishop's* most Malicious Enemy, Mr. *Edmond Meyrick*, (who besides the many other Crimes, which he hath charg'd upon his *Lordship*, hath also particularly calumniated him with the taking of *Illegal and Excessive Fees*) the *Bishop* forgave unto one *Howel*, the Sum of 3 *l.* that he might have legally exacted. The Story whereof in brief is this, *viz.* That a certain Person named Mr. *Walter Howel*, having obtained a *Collation* from the *Bishop*, for which 6 *l.* 1 *s.* became payable as the customary *Fees*, and which the said *Howel* accordingly gave to the foremention'd *Meyrick*, to be by him deliver'd and paid to his *Lordship*, how that upon *Meyrick's* having brought and tendred it, but withal having represented *Howel's* Necessitous, Circumstances and Poverty, the *Bishop* with great *Cheerfulness*, and no less *Compassion*, returned 3 *l.* of the *Money* to *Meyrick*, to be given back by him to *Howel*. Whereunto may be added, That *Solomon Henden*, Vi- Ans. In-
car of Lawhaden, hath Sworn, how that he upon his being Ordain'd terrog. 12.
Priest by the said Bishop of St. David's, had his *Letters of Orders* Oct. 1698.
given him gratis. And the like is also Deposed by *John Gwyn*, The Bp.'s
namely, That he having been likewise Ordained *Priest by the* 12 Wm.
same Bishop, his *Lordship* would take nothing of him for the In- Ans. to In-
struments, which certified his being received into Holy Orders. And terrog.
 then as to the *Bishop's* forbearing to Prosecute any that are in *Arrears* to him for *Fees*, we do need only to look into his *Book of Procurations*, for proof of it. For as it doth thereby appear that there is above 50 *l.* owing unto him for the

Two Visitations; so it is most certain and indubitable, that notwithstanding thereof, he never *Cited*, and much less compelled any one Person to pay what he owed him of that kind. By which few Instances in both the foremention'd ways, they who are either Men of good Sense, or of common Justice, must find themselves if not obliged, at least prepared to Believe, That he who out of Mercy and Generosity, could forbear exacting what he lawfully might, is not like to have been one, who in any case, or towards any Person, what or whomsoever, would be oppressive. For though it is possible, that

Tacit. (as the Historian saith) one may be *pecunia sua parvus, et aliena Hist. lib. I. avarus*, frugal in the disposal of his own Money, and yet covetous of other Mens; Nevertheless it is next to a Contradiction, that one and the same Man, should be ready to exercise Compassion, and yet addicted to oppress; or that he should be forward to remit and forgive what he could legally claim, and at the same time, be a common Exacter of what no Law hath given him a Title unto. And as the *Bishop* was one, that could be Liberal to some, without the needing to seek to reimburse himself by oppressing of others, in that he was both a single Man, and a Person that had a Plentiful, Temporal Estate; so I may venture to say in the words of *Macenas* to *Augustus*, That the Wealth which he had acquired, was not *tam multa capiendo, quam haud multa perdendo*; by getting much, and less by getting it unjustly; but by wisely managing what he got and had, and by his being no Prodigal Squanderer of it.

Apud Di-
on. lib. III.

Finally to come to the last thing, which is the *Seventh* that I have to *Premise*, I cannot omit observing, how upon the first Commencement of the *Process*, the *Bishop* freely and frankly offer'd in Writing, That if more *Fees* of any sort or kind, had been Received, than according to Law and Custom, ought to have been paid, he would readily repay and restore it to those, of whom it had been Demanded and Taken. Which in my Opinion, should both in Reason and Justice, have sufficiently vindicated him from the Crimes of *Extortion*, and ought to have satisfied his worst Enemies, that if any greater *Fees*, had been claimed, than should, it was through Ignorance, or Inadvertence, that it was done, and not from a Principle of Covetousness, nor out of any oppressive Design. And whereas the *Author* of the *Summary View*, has had the

Impudence

Impudence to say, That though the *Bishop* had made such an Offer, yet that during the Dependence of the Cause, for Three Years and more, he the said *Bishop* had not proved, that he had actually restored one Farthing: I shall take the Liberty to tell that Writer, that as it is a direct Falsehood to affirm, and no less than plain Sophistry to insinuate, That one Farthing had not been restored; so the Reproach and Shame of his Lordship's not having proved the Restitution and Repayment of such Monies, must fall upon others, and not on the *Bishop*. For as his making of that Offer, at the beginning of the Process, was not as that Author maliciously construes it, a Confession as it were, of his being Guilty; but was meerly made on a Supposition, That either the Registers, and others, whom he had consulted about the Knowledge of the Fees, might have misinformed him, or that they whom he had entrusted to Demand and Receive them, might have required and taken more, than they were ordered to ask, or ever accounted for to him. And accordingly, no sooner did it appear, that any more had been claim'd and taken, than Law and antient Usage gave a Right unto, but that immediately he took care to have it restored to those, of whom it had been exacted. And therefore as he positively avers, that he never knowingly took greater Fees of any Person, or Persons, for this, or for that, than what he had been told was legally due, and had been customarily paid; so he no less sacredly declares, that how soon soever he understood, that either through Ignorance, or by reason of Misinformation, or because of some one Mistake, or another, more had been exacted of a few Persons for Procurations, than ought to have been, but that he caused it to be Restored and Repaid unto them. So that in the Year 1696, he sent to Mr. William Lloyd, Mr. George Williams, Mr. William Thomas, Mr. David Jones, &c. whatsoever through the Mistake of the Receiver, or by reason of any other Occasion, or Means, of his becoming misled to exact it, had been Demanded and Received, beyond and above, what was rightfully due. And that this came not into proof, proceeded from no Neglect or Fault in the *Bishop*, but it is to be entirely ascribed to the Arbitrary Will, and Despotical Pleasure of the Delegates, who would not admit the Receiving and Hearing of the *Bishop's* Allegations, when tendred unto them; wherein not only all this, but a great deal more conducive to his Justifica-

Justification, would have been found both fully laid open, and undeniably confirmed. Which in the Opinion of all Impartial Men, must not only be accounted a strange *Precedent*, the like having been scarcely ever heard of in any Court, or in reference to any Cause whatsoever, but it must be also held to be a direct *Breach* of my Lord Chancellor's *Promise* in the *House of Peers*, that the *Bishop* by, and before them, should have Liberty granted him, *Allegandi non Allegata, et probandi non probata*, as I have oftner than once repeated before. So that upon the Whole, I may venture freely to say, That the *Author* of the *Summary View*, sheweth but little Wit, and less Honesty, in his endeavouring to impose upon the World, that the *Bishop* had not proved his having restored one Farthing, when the sole Reason thereof, was his not having been allow'd, or admitted to do it, when he was both ready to have done it, and begg'd the having that Right, as well as Favour granted to him. Nor can I here forbear observing, how much some late *Scribbling Libellers*, are obliged to the *Author* of the *Summary View*, because of his having given them such a Copy to imitate, and write after. For by his making the *Bishop* of *St. David's*, to bear the Reproach and Infamy of the *Fault* of the *Delegates*, he hath taught our Modern Defamers, to Father their own Crimes, upon the best Men, and the greatest Patriots of the Kingdom; and to seek the covering themselves from the Punishments due to their own Crimes, by fastning their Offences and Villanies upon those that are Innocent. For as according to the old *Adage*—*Hebraeus nihil Hebraeo, catalina Cethego, Complices in Knavery, are always ready both to excuse, and to justifie one another*; so the very Religion, as well as the *Politicks* of many of our great Pretenders, no less to Godliness, than to Civil Wisdom, is all come to be wrapt up in that of the *Lyrick Poet*, *utilitas justi prope mater et aqua*; every thing is Lawful and Honest, which can be made Profitable, and rendred subservient to a Design. And though the reason of the late Emission of so many Defamatory Libels against *Worthy Men*, by *Men Worthy* to be——is obvious enough to every one, who is not under the Power of *Facitious Principles*, and will but allow himself the Liberty of thinking, without Prepossession and Prejudice, I shall nevertheless both chuse to give it, and that likewise rather in the words of another, than in my own. Namely, that *sceleratis ingeniis, et plus quam civilia agentibus,*

tantibus, non Dominari, instat servitutis est; to such as are ill Men, and withal embark'd in Conspiracies against the Constitution and State, not to have the Governing Authority and Power, is in their Opinion to be reduced to the Condition of Slavery and Bondage.

So that having dispatched all those things which I had to *Premise*, and thereby (as I hope) have not only discover'd the Frivolousness and Impertinency, but have in effect, laid aside and shut out, most of the Accusations brought against the *Bishop* for fastning Extortion of *undue Fees* upon him: I am now particularly to examine the several *Allegations* produced by the *Author* of the *Summary View*, in proof of his *Lordship's* having been Guilty of *Extorting Illegal and Excessive Fees*. And in my Entrance upon this, I cannot omit the taking Notice, how that *Writer* ushereth in his *History* and *Memoirs* of those Accusations, by telling us, That the *Bishop's Demanding and Taking of such Fees, was so General and Notorious*, *Sum. View. p. 15.* that (by his own Acknowledgment in one of his *Allegations*) he was Indicted in the Temporal Courts, for Extorting undue Fees for Institutions and Procurations. Which I wonder the said *Author* should have ventur'd to mention, seeing the Proceeding at once in two different Courts against the *Bishop*, doth not only shew the *Injustice* of those who were his *Prosecutors*; but laid him under no Conviction of being guilty of the Offences with which which he was aspersed. So that were not this *Writer's* Wit little, and his Malice great, he would have omitted the naming a thing, which instead of casting any Reproach upon the afore said *Prelate*, doth only leave the *Metropolitan*, and those who being his *Tools*, acted under him, and by his Orders, Obnoxious to no less severe, than just Reflections. And such (if I mistake not) every impartial Reader will be both inabled, and rendred ready to make, when they have consider'd the few following things, which I am about to recommend to their Observation. First, That the *Bishop's* extorting *Illegal Fees*, can no otherwise, nor in any other Sense, be said to have been *Notorious*, save in this, that they who had Maliciously and Slanderously Forged the Accusations, had also as Industriously divulged and spread them. For as in many other Cases, Stories as well of Persons, as of things, come to be *Notorious*, i. e. publickly talk'd of and reported, without its being possible, until after great Inquiry, an exact Examination,

nation, to know whether they are *Notorious Truths*, or *Notorious Falsehoods*; so it was plainly in the Case before us, where a *Fame* of the *Bishop's* having taken excessive *Fees*, obtained among many, by reason of, and upon the Authority, of its being affirmed by such and such, who had villainously invented, and calumniously spread it. And all that hath been of late, not only disgracefully spoken, but Printed of, and concerning his Excellency, the Late Lord Lieutenant of Ireland, as well as of, and concerning many of the Greatest, and most Deserving *Members* of the last *House of Commons*, (and whose extraordinary Worth, and singular Fidelity to their Country, have procured their being Chosen again into this) may be called no less *Notorious* with respect unto them, than what the *Author* of the *Summary View*, says of the *Bishop* of *St. David's* taking *Illegal Fees*, was in relation to him. And as no Wise, nor Honest Man in *England*, doth now so much as question, but that all the ill and blackning things, said, and written of those Admirable Persons, are all *Notorious Lies*, first Forged, and then Publish'd by a Sett of Factious People, for the Defaming of those, whose Opposition of their wicked Designs, they do no less dread, than they are assured of it: So I have made it sufficiently evident in the foregoing Sheets, as well how, and upon what Motives, as by whom, the *Bishop* came to be Calumniated with the taking Undue *Fees*, and with many other Offences, of which he was altogether Innocent. Nor do I doubt, but in what still remains further to be said, I shall abundantly vindicate him from the other Crimes, whereof he hath been accused. And I hope I may very reasonably expect, that none who are Wise, will be Influenced as to their Belief, by the Opinions which either the *Mobb*, or People engaged in a Faction, do entertain of Persons and Things. For as the *Historian* says of the former, That *plebi non judicium, non veritas*, That the *Vulgar* and Majority of Mankind, have neither a Regard for Truth, nor Judgment to discern what is so; but that *quoquomodo audita pro compertis habent*, whatsoever they hear, especially if confidently told, is received by them, as an indubitable Certainty: So he doth likewise assure us, concerning the latter, that with them, *nobilitas, opes, omissi gestique honores pro crimine, et ob virtutes certissimum exitium*, it is a Crime for others, to have either generously Despised, or to have honorably Discharged Places and Offices of Power

Tacit.
Hist. Lib.
I.
Id Annal.
Lib. III.

Id Hist.
Lib. I.

Power and Trust; and that they are First to be Defamed, and then Sacrificed, because they are *Virtuous*. And Secondly, Whereas the Writer of the *Summary View*, tells us, that by the Bishop's own Confession, he was Indicted in the Temporal Courts, for extorting *Undue Fees for Institutions and Procurations*, I have this to return thereunto, that his confessing it, was only that he might complain of it as an Injustice, as well as Grievance. For as it is an establish'd *Maxim* in all Laws whatsoever, That Suits are not to be *Vexations*, nor *Expences Increased*, and much less *Punishments Multiplied*, by bringing an Offender before different *Jurisdictions*, for one and the same Crime: So it is agreed unto by the *Civilians*, That when Courts of different Kinds, have an equal and competent Authority, to take Cognizance of an Offence, and to proceed jurisdictionally against an Offender, and the one hath anticipated and prevented the other, in the calling the Transgressor for the Transgression before them, that in that Case, the other shall not interpose its Authority, until the Matter be adjudged by that Court, where it came to be first lodged. Yea, whensoever Two Courts vested with a Lawful Power for Proceeding in the same Cause, but with this Difference, that the one is *Superior* to the other; it is by all Men confessed, that as soon as the *Superior* assumeth to its self, the Right of interposing judicially therein, that immediately thereupon, the Procedure of the *Inferior* Court, becomes Superceded. So that the Citing of the Bishop of *St. David's* into a *Spiritual* Court, and the Indicting him at the same time for the same Offences in a *Temporal*, instead of leaving any Reproach, or of fastning a Suspicion of Guilt upon that *Prelate*; it doth only serve to Publish the Malice of the *Promoter*, and to give us further Evidence of Pique, Wrath, and Revenge, which they, who could Countenance and Encourage such Unrighteous and Illegal Practices, must have previously thereunto entertained against him; and how unlikely thereupon, they were to be Impartial Judges in relation to the Offences, whereof he stood accused. And if we do but allow our selves withal to consider, that the Cognizance of *Illegal Fees for Institutions and Procurations*, did at least primarily, if not solely, belong to *Spiritual Courts*; we cannot avoid the entertaining a very harsh Opinion of those that Authorized the Indicting the Bishop in a *Temporal*, for that which properly fell under an *Ecclesiastical Jurisdiction*,

and which to shew that their *Juridicial* Power extended unto, they had caused it to be brought *judicially* before them, at that very time. So that what the *Bishop* of *St. David's* is said to have confessed in an *Allegation* of his being *Indicted* in a *Temporal Court*, at the same time when there was a *Process* depending against him in a *Spiritual*, for the same Offences, was not only (as I have said) a Complaining of the Wrong and Injustice, which were done him; but it was an Expressing of his Zeal and Care, for the having the Right and Credit of the *Ecclesiastical Jurisdiction* preserved. And therefore his Lordship in the *Allegations* which he gave in *July 29. 1695*, did no less Justice to the Church of *England*, than to himself; in saying that the *Promoter* by causing him to be *Indicted at Carmarthen Sessions*, when, and while he stood *Cited* before an *Ecclesiastical Jurisdiction*, had acted in derogation of the *Spiritual Court*, as well as vexatiously towards him. And by some Mens Readiness, either through Ignorance, or out of Treachery to the Church, to have given up the Jurisdiction of the *Spiritual Court*, to the *Temporal* in the aforesaid Particular, I am the less surprized at the Sacrifices they have made since, of other *Ecclesiastical Rights* to the *Regal*. But *Thirdly*, I cannot avoid observing, how much the *Bishop* of *St. David's* is obliged to the *Author* of the *Summary View*, that when he tells us of his having been *Indicted in a Temporal Court*, he doth not withal say, that it was for Treason against the King; or for the having asserted that the Kingdom of *England* is become of late, a Conquer'd Nation; nor for the having kindled and fomented Divisions and Strife, in Church and State; nor yet for having supplanted any Great Man in his Amours and Familiarities with a celebrated *Female*. For though these things, and many more of that kind, such as the encourgaing the utmost Disgrace of Mankind, *Fuller*, not only to give the direct Lie to all the People of Quality, who have given their Depositions in a certain Case in the Court of Chancery, but even to His Majesty himself; who has to God, as well as to Men, declared contradictorily to what that Varlet- and Miscreant would Bubble the World into a Belief of. I say, though these things would have been properer to have been brought before a *Temporal Court*, than what the aforesaid *Prelate* is reported to have been *Indicted* for, yet as it was not in the Power of his Enemies, not-

with-

withstanding of all their Malice, to fasten so much as a Suspicion upon him, of his being guilty of Crimes of that Nature; so the *Writer* of the *Summary View*, has had the Discretion not to lay the *Bishop* of *St. David's* under the Imputation and Infamy of Matters, from at least Part of which, some of that *Author's* great *Patron's*, as well as his darling Favourites, have endeavour'd to acquire Glory, and have furnish'd future Historians with Facts, whereby to convey their Names under indelible Characters to Posterity. But then *Fourthly* and Finally, I crave Liberty still to add, (which will be but very little to the Reputation of some People) That though the *Bishop* was *Indicted* in a *Temporal Court*, yet I do not find he was ever there adjudged guilty of the Offences of *taking exorbitant Fees*, of which he is said to have been accused. And whereas the *Author* of the *Summary View*, is pleased to tell us, That *Welfray Pyemont*, a *Witness* produced by the *Bishop* to that Article, saith, That he had heard the *Indictment* was found; I have several things to Reply thereunto, and to observe thereupon. After I have first advertised the Reader, That whereas what the *Bishop* confessed in his *Allegation*, of his being *Indicted* in a *Temporal Court*, doth refer to the *Proceedings* against him at the *Sessions* at *Carmarthen*, in *August*, 1695, it must naturally follow, that what the *Writer* of the *Summary View*, pretends to tell us from *Pyemont's* Deposition of an *Indictment* being Found, must refer also to the *Proceedings* at the aforesaid Time and Place, or that else the mentioning of it, is altogether Impertinent. Which having observed, I do proceed to the giving the *Answers* which I have promised. As (1.) That by this *Writer's* seeking to disgrace the *Bishop*, and to obtain his being thought guilty of the *Extortion of Undue Fees*, from, and by the mentioning a thing Deposed only upon uncertain Report, and *Hear-say*, the unprejudiced Reader may become still more convinced, how Malicious, as well as Partial, the whole *Proceedings* against his *Lordship* were. For as no Righteous Court whatsoever, doth in any Case admit that for Good and Legal Evidence, which a *Witness* doth only Swear that he hath heard, without his declaring also that he knows it to be so; so an *Author* who pretends to give an Account of a *Process*, and of the *Proofs* produced for the Conviction of a Person that hath been Accused and *Indicted*, to tell us only that a certain

certain *Witness* did Swear that he had *heard* so and so, is in effect, to assure us, That Informations, which were Imper-
 tinent and Insignificant, had a Stress and Weight laid upon
 them, which became neither Wisdom nor Justice. And had
 this *Author* been acquainted with *Cicero*, he would have found
 it laid down by him as a Rule and Maxim to be observed
 in all Judicatures whatsoever, That *vox vulgaris* *Audivi* *ne*
quid *Reo* *Innocente* *noceat*; no Man who is Accused or Indicted,
 shall be accounted to be any ways criminally affected, by anothers
 saying he hath Heard him reported guilty of that with which he
 hath been charged. (2.) From this *Writer's* representing it as
 an Evidence of great Moment for fastning Extortion on the
Bishop, that *Pyemont* should have Deposed his having heard
 that the *Indictment* laid against his Lordship for it, was found;
 we may conclude that no such *Indictment* was ever found. For
 it being as easie to have said, that it is in Proof that such
 a one knows of the Finding of the *Indictment*, in case it had
 been so, as that another had merely heard it was Found: It
 is impossible we should believe, that an *Author* of any Sense
 or Judgment, who takes upon him to give the History of a
 Transaction, should have wholly omitted the former, and have
 only insisted upon the latter. And forasmuch as that *Writer* en-
 deavours to get it believed, that the *Bishop* was guilty of the
 Offences whereof he stood *Indicted*, because of *Pyemont's* De-
 posing, That he had heard the *Indictment* was found; I hope
 I may be as well allowed the declaring his Lordship Innocent
 of them, because it is Deposed by *Mary Owen*, Relict of
George Owen, that though she knew of the *Bishop's* being In-
 dicted at Carmarthen Sessions, for taking *Illegal Fees*, and for
Simoniacally preferring Mr. Medley, yet she had never heard, that
 these things were proved against him. Nor can I (3ly.) forbear
 reflecting on the Folly of the *Author* of the *Summary View*,
 as well as of complaining of the Injustice done by him to the
Bishop, in that he should have wholly omitted the taking No-
 tice of what *Pyemont* hath Deposed in his Lordship's Vindica-
 tion, and should have only mention'd a Particular, that he
 hop'd might conduce to his being thought Criminal, and
 of which Particular, *Pyemont* knew nothing, save, That he had
 heard it said. Nor ought I therefore to be wanting in lay-
 ing before the Reader, what that *Writer* hath been so Un-
 faithful as to conceal. Namely, That this *Welfray Pyemont*,
 from

Orat. pro
 Cn. plane.

The Bp.'s
 17 Wm.
 Ans. to In-
 terrog. ad
 Article 5.

from whose Declaring, That he had heard an Indictment had been found against the Bishop of St. David's for exacting Undue Fees, this Author endeavoureth to expose his Lordship, as not only Blackned, but in effect, as Convicted of having been Guilty of that Offence: I do say, That this very Pyemont, hath solemnly Deposed upon Oath, and that not on the Report of others, but upon his own Knowledge, That he having *The Bp.'s* Lived near Six Years with the Bishop, found him during all that *46 Wm.* time, to be not only a Person of a very Strict and Sober Life *Answ. to* and Conversation, and very Regular in his Family; but that he *Interrog.* was one who had often expressed his Abhorrence of Simony, and *ad Artic.* who had said he thought it as bad as the Sin against the *2m. 12 m.* Holy Ghost; and that he could not without the shewing Anger and Indignation, hear that any for the obtaining Ecclesiastical Preferments, should have dared to promise Rewards to any of his Lordship's Relations. And that as the said Bishop at all times when Pyemont was present at Ordinations, did constantly Administer the Oaths of Allegiance and Supremacy, to such as were Ordained and Instituted; so that he never allow'd him, who was his Servant, and the Receiver of his Money, to require or to take Fees for any thing, or Instrument, or upon any Occasion whatsoever, save such as have been mention'd and specified before, and which by Law, Canon, and the Usuage and Custom of the Diocess, it was lawful to Demand and Receive. So that instead of having any Reproach fastned upon the Bishop, by what Pyemont Deposed upon Hear-say, as to any kind of Offences; we have his Lordship, on this very Pyemont's personal and positive Knowledge, fully vindicated upon Oath, from all the great Crimes of every Sort wherewith he hath been Defamed. And had the Writer of the Summary View, been a Person of Sincerity, Justice, or Honour, he would have been so Equal and Impartial, as to have acquainted us with what Pyemont hath Sworn in Justification of the Bishop's Innocency, as well as he had studied to mislead us into a Suspicion of his being Guilty, from, and by what the said Pyemont had Deposed of his having heard of the finding of an Indictment against him. Nor can it be taken amiss by any, who maintain a Respect for Truth and Justice, that I have labour'd to do that Prelate all the Right I could, by the very same Hand and Mean, that the Author of the View had endeavour'd to do him Wrong. And have withal, shew'd the Author whom I am Encountring, that it is possible in other Cases,

Notwithstanding whereof, as I am to add, no one *Indictment* was *Found*. Which as the Failing to do, must have either been because of the Frivolousness of the Facts alledged in proof of the *Indictments*; or by reason that no Credit was given to *Lucy's* Testimony, from an Opinion that he was a Man of no Faith, and that he had Sworn out of pure Malice; so we are furnish'd with one thing more in the fore-said Mr. *Williams's* Deposition, which will incline, if not oblige us to be of that Sentiment. Namely, That he the said *Williams*, had as a Notary Publick, speeded out an Act of *Suspension* pronounced by the Bishop, whereby the foremention'd *Promoter*, *Lucy*, was suspended from his Office of Register of the *Diocess* of *St. David's*: And I may be allow'd to add, not without great and just Cause, as hath been fully manifested in the foregoing Sheets. Nor ought I to be thought too censorious, if I further say, That had *Lucy* been as well known at *Lambeth* and *London*, as he is in the *Bishoprick* of *St. David's*, he would have been no more Believed in *Surrey* and *Middlesex*, than he was in *Wales*; nor have had more Credit given to his *Depositions* and *Oaths* in the former, than was in the latter, unless the vulgar *Adage* of *quod valde volumus, facile credimus*, what we easily desire, we earnestly believe, should be acknowledged to to be further verified in reference to some *Mens Easiness* of Belief, than it ought. But it is now fortunately come to pass, that *Lucy* is of late, grown as well known, and understood in this Part of the Kingdom, as he was formerly in another. For by reason of the Trust reposed in him, of Collecting the *Rents* of the *Diocess* of *St. David's*, since the Bishop's pretended *Deposition* from his Dignity and Function; he hath given his Patrons and Friends Opportunity and Occasion, of becoming as well acquainted with his scandalous Morals in General and with his Infidelity in Particular; as they some time ago were, to whom he hath proved a most Malicious and Bitter Enemy. And as the *Lords Commissioners* of the *Treasury*, do justly complain of his not having paid the *Rents* of the said *Bishoprick* into the *Exchequer*, where they are Order'd to be Deposited and Lodged, until it shall be determin'd either by our *Westminster Courts*, or by the Judgment of the *House of Peers*, unto whom they legally belong; so I am very well assured that the *Lords Commissioners* of the *Treasury*, will have cause ere long, to proceed

ceed otherwise against *Lucy*, than meerly by Complaints. For as I am fully informed by them who perfectly know it, that he hath wastfully and luxuriously consumed the greatest Part of those Revenues, which he was only entrusted to Receive, in order to their being paid into the Exchequer; so it is not much to be doubted, but that as Malice against the *Bishop*, was the first *Motive* to his prosecuting of his *Lordship*, in the Manner, and under the Character he hath done; so that he had likewise in his *View* and *Aim*, the getting into the Employ of the *Collectorship* of the foremention'd *Rents*, and thereby of serving his *Lusts* and *Riot* upon the *Government*, as he had done his *Hatred* and *Revenge*, on the *Bishop*. And if I do not mistake, he hath by this time, given some People

Tacit. An-
nal. Lib.
16.

*exemplum praevidendi, quomodo fraudibus involutos, aut flagitiis commaculatos; sic specie bonarum artium falsos, et amicitiae Fal-
laces are to be trusted unto, and relied upon.*

So that having fully examin'd whatsoever the *Author* of the *Summary View*, hath said by way of *Preliminary*, to his giving the *Detale* of the *Bishop's* *Exaction of undue Fees*; I shall now apply my self to the Consideration of the various and several Instances, given by that *Writer* in proof of the *Bishop's* pretended Guilt in that matter: And I do not question my being able to vindicate his *Lordship*, from the having been criminal in, or with respect to any one of them. And seeing the said *Author*, distributes those *grievous Exactions* (as he is pleased to call them) into *Three several Kinds*, I shall attend upon, and follow him, in his own Way and Method, and shall both take a Survey of, and give a Reply unto every thing that hath been alledged against the *Bishop*, under all, and each of the *Heads* of those different kinds. And forasmuch, as he begins with the *Excessive Fees taken at Ordinations*, I shall likewise begin with the Consideration of the Testimonies which he hath produced in Confirmation thereof. Only I must crave Liberty to put the Reader in mind, That I have in a great Measure already, not only anticipated my self, in what would otherwise be now needful to be said; but have also abundantly justified the *Bishop* of *St. David's*, from the Accusation of having offended against the *Hundred Thirty Fifth Cannon*, in, and by which, every *Bishop* is absolutely prohibited from taking any Fee or Reward to himself, directly or indirectly, for admitting any into Orders. And therefore

Sum. View,
p. 16.

Ibid.

fore refering the Reader to those foregoing Articles and Paragraphs, in which this was treated of, and where he will find, that enough hath been said to this purpose; the whole now incumbent upon me, will be to shew, how that none of the *Depositions*, produced in proof of the *Bishop's taking Excessive Fees at Ordinations*, do in the least, or any ways criminally affect him. And there being nothing said by the *Author of the View*, with reference to the *quantum*, or the *Proportion* of the *Fees*, required of, and paid by such as were *Ordained*, by which, Guilt can be fastned on his *Lordship*, in that no more was ever Demanded or Received, than what the *Law*, the *Canon*, and the *Custom* of the *Diocess*, had made *Due*, as well as rendred *Lawful*: the only thing that remains to be inquired into, is whether some *Share* or *Part* of the *Fees* then Taken, which the *Bishop* stood *prohibited* by the *Canon* from meddling with directly, or indirectly, was not paid for, applied unto, and appropriated unto his own use? And as his most malicious Enemies must be forc'd to Grant, That some *Proportion* of the *Fees* then payable, was entirely and solely to come to himself; so I hope to make it clear and evident, that as to his own proper and personal Use and Advantage, he medled not with, nor possessed himself of any more. Wherefore, as I have no Controvesie with that *Writer*, either about the full Sum or *Total* of 33 s. and 4 d. then Demanded and Paid; nor concerning the particular Things, Matters, and Instruments, for which the various *Proportions* consisting of the said *Total*, were Required and Received, viz. 5 s. for *Examination to the Chaplain*, 5 s. for *Subscription*; 10 s. for *Orders*, or rather for *Letters of Orders*, and 13 s. 4 d. for a *License to serve the Cure*, to which the Party *Ordained*, had a Title: So that very *Author*, how much soever inclined to asperse and defame the *Bishop*, yet he hath not dared to charge him with the having been Guilty, either as to the Matter of Requiring and Receiving, or as to the manner of applying any of the foregoing *Quota's* or Sums, save only that he accuseth him, of having contrary to the *Canon*, taken and appropriated the 10 s. for *Letters of Orders*, to his own Use. And as I am to examine, whether it hath been, or can be fastned on his *Lordship*, by all, or any of the *Depositions*, produced to that purpose by the *Writer of the View*; so previously to my entring on that Inquisition, I desire it

may be observed, how innocently and conscientiously the present *Bishop* behaved himself, in the Demanding and Taking *Fees* from such as were admitted into *Orders*, beyond what some of his *Predecessors*, and particularly the *Promoter's* Father, *Bishop Lucy*, had done. Of whose exacting not only exorbitant Sums for admitting Persons into *Orders*, but of his having likewise taken *Fees* from the same Persons for granting them *Licenses* to *Baptize*, I have given already more than sufficient Evidence, by, and from the Depositions upon Oath, of several Witnesses of unspotted Credit, and of indisputable Reputation. And if the preventing of *Simony*, be the reason of prohibiting *Bishops* to receive *Fees* for the conferring of Sacred *Orders*, and if they who do so, be accounted *Simonists*, and made obnoxious to Censures and Punishments as such, it is then most certainly both a more uncontrovertible, and a far more heinous Degree of *Simony*, to exact *Fees* for a *License* to *Baptize*, from those, who by being *Ordained* Ministers of the Sacred Gospel, and thereby Authorized to *Preach*, are *ipso facto* Empower'd to *Baptize*. The Performance and Discharge of these Two Parts or Offices of the Evangelical Ministry, being united and made inseparable, by the Ordinance and Command of our Lord Jesus Christ; the Tenor of whose Commission to all admitted into the Ministry, is, *Go teach all Nations, Baptizing them, &c.* And from the present *Bishop* of *St. David's* having preserved himself from all Guilt of that kind, (of which neither the *Author* of the *View*, nor any other of his most malicious Enemies, have dared to accuse him) though both tempted to it by the Example of his *Predecessor*, *Bishop Lucy*, and encouraged thereunto; by the Immunity of that *Prelate*, in the Practice of it: I may now proceed with the more Confidence to the *Vindication* of his *Lordship* from having taken *Fees* for *Orders*, in any other Measure, for other End and Use, or because of any other Reason, than the *Canon* doth allow. In order to the better acquitting my self wherein, and for the fuller Satisfaction of the Reader, I shall call over the several *Depositions* produced by this *Author*, in proof of the *Bishop's* having, contrary to the *Canon*, taken *Fees* for admitting Persons into *Orders*. Namely, That *Thomas Powel* hath Deposed, That being Employ'd in the Year 1688, by the *Bishop* as his *Secretary*, did at Two *Ordinations*, receive from every one that was ordain-

Manb.
28. 19.

Summary
View, p.
16.

ed,

ed, 10 s. for Letters of Orders; and that he did account with the Bishop for the said Fees. And that Robert Douglas, who lived *Ibid.* p. 17. with the Bishop a Year and a Half, Swears, That during the said time, the Bishop took 10 s. for all Letters of Orders. And that Welfray Pyemont, who was a Servant of the Bishop's for the *Ibid.* space of Six Years, Deposeth, That for that whole time, he Received for Letters of Orders, 10 s. Now these Three Depositions, being all that the Writer of the *View*, hath thought fit to mention, and from which (as a very ill Logician, but as a bold Calumniator) he hath assumed the Impudence to say, That it evidently appears, that the Bishop, either took the Fees for Ordinations himself, as Douglas Swears; or that others received the Fees, and accounted to him for them, as Powel and Pyemont both Depose: I shall by way of Answer and Reply, not only shew how irrelevant, Weak, and Insignificant, these Depositions are, for the being admitted and accounted legal Proofs, of the Bishop's having transgressed the *Hundred Thirty Fifth Canon*; but I shall also lay open the Impertinency of the Author of the *View*, in making the Inference from them, which he doth; and withal, shall further detect the Treachery, as well as the Infidelity of that Writer, in his giving us the History of the *Process*, upon which the Bishop was Sentenced, and his having taken such Fees, made a Part of it, and assigned as one of the principal Reasons and Causes thereof. Nor shall I here repeat what hath been already said for discrediting the Testimony of *Thomas Powel*, but shall remit the Reader to the forgoing Sheets, where he will find it made sufficiently appear, that he is one, to whom no Faith ought to have been given in any thing he Swore against the Bishop of *St. David's*. But I shall take no Advantage from that at this Season, (though I could not well omit the mentioning of it) there being nothing in his Deposition, that can prove the Bishop Guilty of the Crime; for the probation whereof, it is produced by the Writer of the *View*, and was out of Revenge and Malice, given by *Powel*. Neither shall I insist upon the Injustice of this Author in Citing out of large Depositions of Witnesses, only what he conceives to be subservient to the Defaming of the Person in whose Prejudice he writes, and at the same time, forbearing to mention those things sworn unto in the same Depositions, which do not only consequential-ly, but even directly vindicate him from whatsoever is al-
ledg'd

ledg'd from thence to his Disadvantage. Only I may be allow'd to say, That how well soever such a Practice and Behaviour, may become a Mercenary Lawyer, and a *Chican* Pleader at the Bar, (where though not very approvable, it is nevertheless the more tolerable, because subject on the very Spot, to the Animadversion and Correction of those who are Council on the other side) yet it is altogether inconsistent with the Duty and Character of an Historian, being repugnant to all the Rules agreed upon, and prescribed to be observed in the Recording and Conveying Matters of Fact, and *Memoirs* of Persons and Things, to the World. For as both *Douglas* and *Pyemont* gave upon Oath, That the *Bishop* was free from *Simony* and *Extortion*, and that he was a Person of a Sober, Regular, and Conscientious Life, &c. so each of them Swore, That he never suffer'd more to be Demanded or Taken as Fees for Letters or Instruments of any kind, than what either Mr. Robert Lucy, the Promoter, or Mr. Thomas, Son to the late Bishop Thomas, informed and declared, to have been customarily Taken, and by *Usage* to be Due. But not to insist further on any of those things, I have several Observations to make, and to lay before the Reader, which, if I do not greatly mistake, will not only serve as so many formal and direct Answers and Replies to what this Writer would infer from, and establish upon the foregoing *Depositions*; but which will both sufficiently expose this Author, and also leave such Reflections on the Proceedings against the Bishop of St. David's, as I wish there had not been occasion given for. And the First shall be, how that this Writer, either out of shameful Ignorance, or from great Insincerity, hath only taken notice of what the Canon prohibits, viz. That no Fee or Money shall be received; &c. for admitting any into Orders; but he hath wholly omitted the mentioning the 10 s. which the same Canon allows to be taken for Parchment, Writing, Wax, Sealing, i. e. for the Letters Certifying their Orders. And as the admitting any into Orders, and the giving Letters, declarative of their being admitted into them, are two very different, as well as distinct things; so to have mention'd them as such, and to have told, that tho the Canon forbiddeth the taking any sort of Fee, by reason of the former; yet that it alloweth a Fee of 10 s. to be taken for the latter; would, if not have prevented all the Obloquy and Reproach, to which the Bishop has been exposed, for the having

The Bp.'s
47 Witm.
Answ. ad
Interrog.
12 m.

having permitted the said *Fees* to be taken ; have at least shew-
 ed the Malice, as well as the Injustice, of defaming him on
 that account. But when Pique and Revenge, have put Peo-
 ple on the doing unjustifiable things ; Fraudulency and Trick
 must be used, for the concealing and covering the Wrong
 that hath been done. For in all such Cases, that of the Co-
 mical Poet will obtain, *scelus scelere tegendum, ne perplaut.* Here-
 unto let me add this further *Observation*, which I desire may Plaut.
 be received as my *Second Reply*, to what the *Writer* of the
View, hath advanced against the *Bishop* of *St. David's*, from,
 and upon the foremention'd Depositions. Namely, That what
 the very *Witnesses*, whom he produceth, call by the Name of
Fees for Letters of Orders, he through an Infidelity, sufficient
 to disgrace any Man that pretendeth to Learning, and much
 more to blast the Reputation of one who undertakes to write
 History, hath transform'd and alter'd into the Stile and Ap-
 pellation of *Fees for Ordinations*. And in order to the fast-
 ning this Infamy of Treachery, as well as of Insincerity up-
 on him ; I shall need only to call over the Words of this
Author, and to compare them with those of *Powel*, *Pyemont*,
 and *Douglas*. For whereas the said *Writer* affirmeth, that the
Bishop himself did take Money for admitting Persons into Orders ; Sum.View,
 and that this stands abundantly proved by the Testimonies upon P. 16.
Oath of these Three Persons ; every one of them in particular
 deposeth, That it was only for *Letters of Orders* ; the words
 of *Powel* being, That the Sum for Letters of Orders, taken and Promot. 29
 received by the *Bishop* or his *Servants*, was 10 s. and the Ex-Witn. Ans.
 pression in which *Pyemont* deposeth, being that he as the *Bi-*
shop's Secretary, whilst he lived with him, received for Letters of ad Inter.
Orders, 10 s. as likewise that the Terms in which *Douglas* 23.
 Swareth, are, That the *Bishop*, during the time that he lived The Bp.'s
 with him, took for every Letter of Orders, 10 s. And where- 46 Witn.
 as it were to account this *Writer* more Ignorant than we Answ. ad
 can allow our selves to suppose he is, to think he should not Interrog.
 understand the difference between the demanding and the re- 20.
 ceiving *Fees* from Persons for their being admitted into Orders, His 47
 and the requiring and taking *Fees*, for Letters, Certifying their Witn. ad
 having been admitted into Orders : We may very well conclude, Interrog.
 that his having endeavour'd to get it believ'd, that the *Fees*
 which the *Bishop* suffer'd to be taken for the latter, were re-
 ceived for the former, was both an effect of his Malice, as he

is the *Bishop's* Enemy, and of his Insincerity as he is a Writer. And his fastning an Accusation upon his Lordship in words of so *disparat*, and different an Importance, from those in which the *Deponents* whom he produceth, deliver'd their Evidence, was not so much either from Ignorance, or from Inadvertence, as from Infidelity and Treachery, we have this undeniable Proof, *viz.* That notwithstanding his having not only begun his slanderous Charge, in saying *That it stands abundantly proved, That the Bishop himself took Money for admitting Persons into Orders;* but his having also shut it up, in affirming *that from the Proofs which he had mention'd, it evidently appears, that the Bishop either took Fees for Ordinations, or that his Servants received them, and accounted to him for them;* yet that in his reporting every one of the Depositions of the afore said Witnesses, he cites those several Deponents, declaring expressly, *That the said Fees were for Letters of Orders.* Upon which, all the Reflection I will make, shall be in the words of the Poet, *Quo teneam nodo, mutantem protea vultum.* But to proceed to another Observation, which I intend as a *Third* Answer to the Calumny fastned on the *Bishop*, because of his having permitted the foremention'd *Fees to be taken.* Which is, That the *Writer* of the *View*, doth with the utmost *Chicanery* and Fraudulency, imaginable, so word and expresse the said *Bishop's* allowing those *Fees to be Taken*, as if he would lead his Readers into a Belief, that his Lordship was the alone and only *Prelate* in *England*, who suffer'd the said *Fees to be demanded and received.* For as all the words which the said *Author* useth in his reporting the *Bishop* of *St. David's* suffering such *Fees to be required and received*, do clearly import that he was singular therein, and that in doing so, he did that which was done by no other *Bishop*; so unless the begetting such an Opinion in his Readers was his Design, he is not only the most impertinent Scribler, that ever put Pen to Paper, but he hath as much calumniated all the *Bishops* of *England*, as he has done the *Bishop* of *St. David's*. Seeing that *all and every one* of them, do no less allow the Taking such *Fees*, than the *Bishop* of *St. David's* did, either they must be accounted as *Criminal*, as he is said to have been; or else he must be acknowledged to be as *Innocent*, as they are held to be. Now it hath not only been in Proof, that his Predecessors suffer'd such *Fees to be demanded*

manded and received for *Letters of Orders*, and that under some of them, they were required and taken in the scandalous and illegal Measures, which I have lately declared ; but it is too well and notoriously known to admit a Denial, That *Fees for Letters of Orders*, are warranted, as well as suffer'd to be Taken, by every Bishop of the Church of *England*, and even by his Grace of *Canterbury* himself. Nor is the permitting it, a Reproach unto, or to be held for a Crime in any of them, in that their doing it, is allow'd by the *Hundred Thirty Fifth Canon* ; and the Sum which they are to suffer to be Taken, is therein also stated and determin'd. Hereunto in the *Fourth Place*, I desire to add another *Observation*, viz. That the *Author of the View*, hath most falsely as well as maliciously, interpreted the *Bishop's* suffering those *Fees to be Taken*, to signifie his having applied them to his own secular and personal Use, which no one of the *Witnesses* have positively and directly Sworn unto. For it is left altogether indifferent, who do receive those *Fees*, provided they be received in Consideration only of, and for *Parchment, Writing, Wax, Sealing, or any respect relating to the Speeding and Certifying of* ^{Canon} *Orders*, (and not for the being admitted into *Orders*) and pro- ^{135. Ano.} ^{1603.} vided the said *Fees* be for his Use and Benefit, on whom the furnishing these things is devolved, and to whom the Writing and Expediting the *Letters*, is committed. Now supposing that the *Fees for Letters of Orders*, are only to come to Servants, who fill such Places, and discharge such an Office ; yet it is as Lawful for the *Bishop* to receive those *Fees*, in their Behalf, and for their Benefit ; as it is for them to receive the *Fees for Institutions and Collations*, which do indisputably belong to the several Bishops in their respective Diocesses, and which nevertheless their Servants do for the most part receive, though they afterwards account to their Lords for them. And as it is equal to him who pays the *Fees for Letters of Orders*, to whom he pays them, provided he pay no more than 10 s. and as he would reckon it to be no Injury done him, to have the *Bishop's Servant* require and take so much, on more will he account it a Wrong done him to pay so much to the *Bishop himself*. Accordingly, provided that the said 10 s. fall at last into the Hands of the proper Person or Officer, who hath a Right to Receive them, instead of his having cause to complain that he was not left to demand and

gather those *Fees* himself, he has reason to be thankful to his Lord and Master, for easing him of that Trouble. Finally I desire to be allowed *Fifthly* to observe, that though the *Canon* forbids *Archbishops, Bishops, or Suffragans* to take *Money or Fees*, for admitting of any into *Sacred Orders*; yet it doth no ways prohibit them from taking 10 s. for *Letters of Orders*, provided that they be at the *Expence* of the *Parchment, Writing, Wax, Sealing, &c.* For notwithstanding that the words of the *Canon* be, *That no Person or Persons under Arch-Bishops, Bishops or Suffragans, shall for Parchment, Writing, &c. take above 10 s.* Yet this is only upon Supposition that they do provide and expedite the Instruments, and are at the *Cost* of furnishing the several Materials; but are no ways exclusive of every *Bishop's* having a Right to demand and receive the said *Fees*, if so be that he charge himself with the Care and Trouble, and be at the *Expence* of all that is necessary to the framing and making out the *Letters of Orders*. And the *Taking* of such *Fees* being allow'd and declared Lawful by the *Canon*, no Man of Sense, can put any other Construction on that part of the said *Canon*, save its being meerely designed to limit and restrain the said *Fees* to such a *quantum* and Proportion, and to prevent Officers acting under Arch-Bishops and Bishops from demanding more; but that it could be no ways intended for the precluding Bishops from taking them on the Terms and Conditions, and in the Cases I have mentioned. And my reason is, because that though some things may be too mean, for Persons of the Episcopal Dignity and Character, to stoop unto, and to meddle with, the doing whereof, will be no Disparagement unto, nor any ways unbecome their Servants; yet whatsoever has that Immorality and Iniquity attending it, as to be criminal in a Bishop, it ought not to be allowed and held Lawful in such as act under them, and by their Order. And seeing the *Canon* admiteth 10 s. to be received for all *Letters of Orders*, I am not asham'd to declare, that it hath been always my Opinion, that it were much better, that the *Bishops* should take the said *Fees*, than that either their *Secretaries*, or any other of their *Servants* should do it. In that (as I have said before) whereas the latter, do for the most part, waste what they get in that way, in Riot and Luxury, we are to believe that the *Prelates* themselves, would apply it either to *Sacred, or to Charitable Uses*.

And

And as the *Bishop* of *St. David's*, hath given abundant Evidence, how he hath disposed of most of the Revenue and Rents arising from, and by his Bishoprick, either to the Service of the Church and Religion, or to the Relief of the Necessitous; so we may be sure, that whatsoever accrued to him by *Fees for Letters of Orders*, would more especially be bestow'd by him in those ways. And that his *Lordship* either granted the aforesaid *Fees* to the Servants and Officers, to whom they are alledged to have been due, or else that he made them equivalent Compensations in the Proportions of their Wages and Salaries, we may infallibly conclude from this, that none ever left him on the Foot and Motive, of thinking themselves rob'd by him of what they had a Title unto. And that the *Bishop* used to give such large and liberal *Wages* to his *Servants*, as that without being Injurious to them, he might secure to himself, a Liberty of meddling with, and of applying the *Fees*, which became due for *Letters of Orders*, to better Uses, than Servants would expend them in, we have sufficient Evidence given us even by the *Writer of the View*, in what he citeth from a Deposition of *Welfray Pyemont's*, viz. *Summary*
 'That though he was not the *Bishop's* Secretary, but his Gentle-*View*, p. 17.
 man, yet he was by Agreement, to have 20 l. per Annum; part of which he was to receive out of the Secretary's Fees: And if they fell short of that Sum, the *Bishop* was to make it up. And whereas the said *Writer* hop'd to aggravate the *Bishop's* Guilt in Reference to those *Fees*, by telling us, that it is proper to
observe, that the *Bishop* continued to receive the same *Fees* at an *Ibid.* p. 18.
Ordination in June, 1696, which was one time, after the *Promoter's* Articles were given in; I will presume from thence to draw a contrary Inference, and for that very reason, to conclude him innocent. For as his *Lordship's* continuing to exact them so long after the Commencement of the *Process*, doth demonstratively assure us that he thought it lawful to demand and receive them; so I hope enough hath been said, to justify that neither he, nor they with whom he advised about that matter, were therein mistaken. And the *Metro- politans* having made that not only a Crime in him, but such a Crime, as to make it one of the Grounds of the Sentence, which he assumed an Authority of Pronouncing against him; doth instead of making the said *Bishop* guilty, only declare that some People were very Ignorant, as well as Malicious,

Unrighteous and Revengeful. Now towards the winding up of this, I have Two short Reflections to add, which will be found to affect more Persons than it is needful to name. Whereof the *First* is, That as all the *Depositions*, which were either brought before the *Metropolitan*, or that are mention'd by the *Author* of the *View*, in proof of the *Bishop* of *St. David's* having taken *Fees* for admitting Persons into sacred Orders, are at the best, *speciosa verbis*, gather'd meerly from some Terms and Words, of which only malicious Enemies can make Advantage to the defaming of him, and to the misleading of ignorant People into a Belief of his being guilty, but are *re inania aut subdola*, altogether insignificant to that End and Purpose; and only fraudulently wrested and misapplied thereunto: So by their expounding the *Handred Thirty Fifth Canon*, as to make it ministerial to the Justification of their Proceedings against the said *Prelate*, they have rendred themselves both guilty of giving (what *Cicero* calls) *callidas et malitiosas juris interpretationes*, false as well as crafty Interpretations of Laws; and of doing what the *Historian* styles, *injurias interpretando accendere*, the aggravating and enhancing of Crimes through pretending to comment upon them. And hereunto I will briefly subjoyn as my *Second Reflection*, that admitting the *Canon* to bear the Sense which some would put upon it, namely, That it inhibiteth every *Bishop* from taking *Fees* for Letters of Orders himself, and appointeth their being received only by their *Servants*; (though I have clearly shewed, that this can neither be the Meaning of the *Canon*, nor was ever intended by it) yet that notwithstanding of that Exposition of it, the worst which the *Bishop* was accusable for, even in case it should be allowed, that he had sometimes received those *Fees* himself, was that he had therein acted imprudently and indiscreetly, but that he had not thereby done any thing that was sinful and criminal. And consequently that the great *Metropolitan*, and they who were *Assessors* with him in the *Process* against the said *Prelate*, have rendred themselves Obnoxious to the Censure, which the *Historian* fastneth upon the *Consul C. Pompeius*, of whom, being chosen to correct what was amiss and inconvenient in the Manners of the Citizens of *Rome*, he says, that *Gravior erat remediis, quam delicta erant*; he was more guilty through the Grievousness and Atrocity of the Punishments, which he inflicted; than they whom he chastned, were because of their Offences.

And

And by that, as well as by many things else, I am still further confirmed in the Belief, That all the Proceedings against the Bishop of St. David's, sprung from meer Pique, Anger and Revenge, otherwise they who assumed to themselves a Right and an Authority of being his Judges, would have reckon'd it, *melius sanare vitiosas partes, quam excacare*, better to Cicer. ad heal a Member which they thought somewhat corrupted, than to cut Antic. it off: Whereas as the same Person tells us, *Irati ad poenam qui accedunt, nunquam mediocritatem illam tenebunt, que est inter nimium et parum*, That they who proceed judicially against others, upon Principles and from Motives of Anger and Indignation, will never either understand, or observe the Mean between the doing too little or nothing, and the doing too much.

But I go on to the Encountering the Author of the View, concerning the Bishop's taking excessive Fees for Collations, which is the Second thing whereof he accuseth him under this Head. And he chargeth the Bishop to have been more Arbitrary in those, than in the former; and that he did not keep to any steady Measure of Injustice therein, though he will have all the Measures he observed in that matter, to have been unjust. And in proof hereof, upon, and against the said Prelate, he begins with the telling us, how the Promoter exhibited the Copies of Sum. View, Two Tables of Fees subscribed by the Deputy-Register, and by Two p. 18. Publick Notaries; and that as the Subscriptions were confessed by the Bishop's Proctor, so the Subscriber to one of them, Swore it agreed with the Table of Fees, which many Years hung up in the Registry; in which the Fees for a Collation, are said to be only 20 s. And in the other, reduced to be less, and declared to be no more than 18 s. and 8 d. Whereunto I have Two things to Answer, whereof the First shall be this, That even supposing and admitting these Copies of of the Two Tables of Fees to be Genuine and Authentick, yet instead of conducing to the proving the Bishop guilty of the Commission of any Offence in that matter, it serveth only to the demonstrating that the Promoter is an egregious Villain: And that upon a double account. First, in that during his Father's having been Bishop of that Diocese, and he the said Promoter his Son, having been his Secretary, he had all along demanded and received Fees for Collations, far above the Quantum, Proportion, and Stint, mention'd in the Copies of those Tables. Whereof having given the Reader more than sufficient Evidence already in the preceding Sheets, I will neither

ther weary him nor my self, by repeating the same things over again here. But though that be my *First Reason* for my calling the *Promoter* a *Villain*, because of the Method and Means he used for proving the *Bishop* guilty of *exacting excessive Fees for Collations*; yet it is not the only Reason for my stiling him so on that account. And therefore my *Second* is this, *viz.* That among others, this very *Lucy* the *Promoter*, was one who assured the *Bishop*, that the *Fees for Collations*, were 6 l. 1 s. and that both his *Predecessors* had always required and received; and the *Clergy* of the said *Bishoprick*, had antiently and customarily paid so much. Which being the whole that his *Lordship* ever demanded as *Fees* of that kind, it naturally followeth, that if he exceeded therein, by taking more than he ought to have done, it was through *Lucy's* having treacherously misinformed, and through his having villainously misled him. And having likewise given undeniable Proofs of this before, I shall not again call them over, but remit the Reader to what hath been already said. Only I cannot here avoid the making this Reflection, though possibly it may by some, be esteemed severe; namely, that there needs no more to the disgracing the whole judicial Proceedings against the *Bishop* of *St. David's*, than that so scandalous and impudent a Mifcreant, and so treacherous and notorious a Villain, as *Lucy* appears to be by what I have said and proved, should have been selected to be the *Promoter* in that Cause. But *Secondly*, there remaineth still another *Answer*, which I have to make with relation unto, and concerning the *Copies of the Two Tables of Fees exhibited by the Promoter*, and said to be *Copies of the Table of Fees due to the Bishop for Collations*; which in brief is this, That they are no such thing as is pretended, nor do they in the least relate to what the *Bishop* hath a Right to demand and take for *Collations*. So that as *Lucy* doth still manifest himself more and more a Villain, by his exhibiting them for that, which he very well knew that they were not; so the *Author* of the *View*, discovereth himself to be neither a Wise, nor an Honest Man, by obtruding that upon his Reader as a Truth, which is a meer Fable and Fiction. For as in most, if not all *Instruments*, issued out, and executed by *Bishops*, besides the *Fees* that arise unto, and are made payable to them, there are also some sort of *Fees* to be paid to *Chancellors, Officials, Registers*: (in the Exaction whereof, they are

too often very exorbitant) It was therefore ordained by the Arch-Bishop, Bishops, and others of the Clergy in the Convocation held at London, the 25th. of October, Anno. 1597, That there should be Tables of Fees made and hung up in every Consistorial Court, declaring the Fees that were due unto, and to be taken *ab Episcopo, Ordinario, Archidiacono vel eorum Ministris, et quod neque alia, neque majora Feoda, ab iis ullade causa percipi antur, quam ea que inenunte hoc Rega nunc Majestate percipi solebant*; by the Bishop, Ordinary, Arch-Deacon, or by Officers under them, save such as used to be received at the beginning of the Reign of Queen Elizabeth. And from thence it came to be Appointed by the Hundred Thirty Fifth Canon, Anno 1603, That no Bishop, Suffragan, Chancellor, Commissary, Arch-Deacon, Official, nor any other exercising Ecclesiastical Jurisdiction whatsoever; nor any Register of any Ecclesiastical Court, nor any Minister belonging to their several Offices, shall Take or Receive any or greater Fees, than such as were Certified to the most Reverend Father in God, John late Arch-Bishop of Canterbury, in the Year of our Lord, 1597; and were by him Ratified and Approved. But that nothing in all this, either did, or could affect the Bishop of St. David's, so as to render him Obnoxious to be criminally proceeded against, will plainly appear, if we do but allow our selves to consult another Clause in the same Ecclesiastical Constitutions of the Year 1597; in, and by which, an Indulgence and Latitude is granted for Demanding and Receiving larger Fees, provided that *usus frequentior ab eo tempore annis monstraverit atque approbaverit, Custom from, and after the time there referred unto, hath shew'd and approved the doing of it*. And that long and constant Usuage during the time of the Predecessors of the Present Bishop, had warranted the Demanding and Receiving of 6 l. 1 s. for every Collation, (which was the most that his Lordship ever took) we have already fully proved by Authentick Testimonies. And particularly not only by the Testimony of Powel the Deputy-Register, but by the Confession of Lucy the Promoter, who had both taken so much, (not to repeat here, what we have before demonstrated, that he had taken frequently more) while his Father was Bishop of that Diocese, and had also by himself, as well as by others, informed and assured this Bishop, that so much, and no less, was due for every Collation. So that I may with very good Assurance infer and conclude from what hath been said, That there

Constitut.

Ecclesiast.

An. 1597,

de Feodis,

&c.

Can. 135.

An. 1603.

Ubi supra.

there was no just Ground for proceeding criminally against the *Bishop* of *St. David's*, because of the *Fees* he had received for *Collations*; and consequently that his having been prosecuted in the Manner, and sentenced in the Degree he was, arose from Pique, Enmity and Revenge, instead of having been founded in Justice, or having flow'd from a Zeal of maintaining the Authority of the *Constitutions* and *Canons* of the *Church of England*. Whereunto may be further added, That had the *Bishop* of *St. David's* offended in his Requiring and Receiving 6 l. 1 s. for every *Collation*, yet the Proceeding against him with the Severity and Vigour, which the *Grand Metropolitan*, and some of those who were *Assessors* unto him, did, was both an Act of great Unrighteousness in it self, and a wilful, as well as a direct Trespass against the expresse words of the *Hundred Thirty Fifth Canon* of the Year, 1603. For whereas upon their Declaring, that among other things, whereof the said *Bishop* was accused, he had been proved *Subditos suos pluribus Exactionibus iniquis praegravasse, vexasse, et oppressisse pro Collationibus, &c.* to have grievously Burthen'd, Vexed, and Oppressed his Subjects the Clergy, for *Collations*; the *Metropolitan* thereupon, proceeded to the Pronouncing and Sentencing the said *Bishop*, *Ab omni honore, Dignitate, et loco Episcopi Ecclesiae Menevensis, cum suis juribus & pertinentiis Universis, et ab omni Officio et administratione Episcopali, et ab omni Beneficio Ecclesiastico, Deprivandum, amovendum, et Deponendum, To be Deprived, Removed, and Deposed from the Honour and Dignity of being Bishop of St. David's, and from all the Rights and Appurtenances thereunto belonging; and from his Episcopal Office and Administration, and from all his Ecclesiastical Rents, Profits and Revenues: The whole which the aforesaid Canon admitteth and alloweth to be done, in case of any Bishops, &c. being Convicted Guilty of the foremention'd Offence, is only that every such Judge, Officer, or Minister offending therein, shall be suspended from the Exercise of their several Offices, for the space of Six Months. And that it was not through the *Metropolitan's* being Ignorant either of the Canon, or of the true Intent and Meaning of it, but that it was purely out of Spleen and Malice against the *Bishop* of *St. David's*, that his Grace proceeded to the Depriving of the said *Prelate*, and to make his having taken such Fees for *Collations*, both a Reason and a Part of the Sentence which he denounced against him; doth undeniably appear*

The Sentence
Denounced
against the
Bp. of St.
D.

from

from his having meerly *Suspended* the *Bishop* of *S. Asaph* for such a time, notwithstanding that an *Accusation* of that *Bishop's* being guilty of the said *Crime* (as well as of worse) and that in a more *Scandalous* manner (than had been Charged upon the *Bishop* of *S. David's*) had both been against him, and had been more Fully and Uncontrollably proved. Moreover to all that I have already said for the *Vindication* of the *Bishop* of *S. David's*, as well from having offended in the *Exacting* of *Illegal* and *Oppressive Fees for Collations*, as from having *Trespass'd* either against the *Ecclesiastical Constitutions* of 1597., or 135 *Canon*, of 1603, upon which whatsoever was pretended to stand produced for his *Conviction*, by the *Exhibition* of the aforesaid *Copies of Tables of Fees*, was founded; I have one thing still further to subjoyn in his *Lordship's* *Justification*, from all whereof he was *Criminally* accused in that matter, and taken from the 135 *Canon* it self, which after all that it hath forbidden in the words lately cited, doth nevertheless make this *Provision* at last, *viz. That those Fees shall be held for Lawful, which the Canon Arch-Bishop of Canterbury for the time being, shall under his hand* 135. *approve.* I take his *Grace's* *Constant* practice in his *Arch-Bishoprick*, to be not only an *Example* set and given to his *Comprovincials* of what they may *Lawfully* and *innocently* do, but to be as *Authentick* and *Authoritative*, for warranting them in the *imitating* of him, and doing the like, as if he had *approved it under his Hand.* And especially seeing every *Arch-Bishop*, is as much restrained by the *Canons* and *Constitutions*, as the meanest *Bishop* of the *Province* is. For whatsoever *Rules* are made and *Ordained* for the better *Government* of the *Church* in *Externals*, and in reference to *Ecclesiastical Proceedings* of any kind, must be acknowledged to be intended to affect all, who are vested with the same *Power*, and *Equally* alike within their several and respective *Juridictions*; and they are not to be interpreted as allowing that to *Senpronius*, which they deny to *Titius.* And that the *Fees for Collations*, have been, and still are as great (if not greater) in the *Diocess* of *Canterbury*, as they were in the *Bishoprick* of *St. David's*, is not only notoriously known, but it hath been in *Proof*, and was particularly confirmed by the *Deposition* of *Mr. Charles Price.* Nor is it unworthy of remark, that the *Innovation* in the *quantum* of those *Fees*, from what they were not only more *Anciently*, but from what they were in that *Diocess*, in the time of *Arch-Bishop Laud*, is

considerably greater, then what is in the *Bishoprick of St. David's*, from what they were when that very Learned and truly great *Prelate* Sat in that *See*. And tho' I will not say, that the present *Metropolitan*, hath raised those *Fees*, above what he found them, when he was advanced to that high Station: Yet if his *Grace* have thought it Lawful to continue to take them in the proportion they were paid, before his Elevation to that Supreme Dignity of the English Church, I cannot understand with what either Justice, Equity, or Prudence, he hath proceeded Judicially and Criminally against the *Bishop of St. David's*, for his taking those *Fees for Collations*, which he found to have been paid for them, before his time, to his Predecessors. Nor should I do the *Bishop of St. David's* the Justice and Right which I ought, without acquainting the Reader, that it was the *Bishop* himself; who both caused the Searching out the foremention'd *Tables of Fees*, and Order'd *Copies* of them to be hung up in the *Consistorial Court* at *Brecknock*, in order to the informing the Clergy and others, what they were to pay for all Instruments, and as the *Legal Fees* of whatsoever was Transacted in that *Court*. And as the many *Complaints*, which had arrived with his Lordship, of the Excessive and Exorbitant *Fees* demanded by the *Chancellour*, *Register*, and other *Officers* of that *Court* for *Institutions*, *Collations Administrations* &c. (And for which he had both Admonished *Lucy* the *Promoter*, and had Suspended his *Deputy*) was the motive unto, and the Cause of his *Lordship's* doing it; so no man can believe the said *Bishop* would have been so Prodigiously Silly, as to have Caused the hanging up those *Copies of Fees* in the Foremention'd place, had he been either Conscious of his own having in any Case extorted more for *Fees*, than was rightfully due, or had he purposed to demand above, and beyond what in all Cases was by Usage and Custom payable unto him. Seeing that had been the Adminstring an advantage to his Enemies for Aspersing, Defaming, and Judicially accusing him, which (Supposing him to be a Person of Common Prudence) we must next to the preventing the Extortion practiced by the Officers of the aforesaid Court, think it was directly Calculated and designed to have obviated. But whereas his Adversaries have Maliciously perverted the hanging up those *Copies of Tables of Fees*, to an end and use Diametrically opposite to what his *Lordship's* design therein was, it may not be amiss to give the Reader a brief account, how they

They grew provoked thereunto, and that they Conspired to the doing it, upon the Motive of becoming cover'd from Prosecutions, and Censures themselves because of their many and *Heynous* Extorsions. For it hath been in Proof that the Bishop having in a *Visitation* at *Brecknock* in the beginning of *October* 1691 received diverse Complaints against *Robert Lucy* (the late *Promoter*) and others, of their demanding and taking illegal and Excessive *Fees*, and particularly, that one *Thomas Price* cou'd not get an *Administration*, from *Lucy's Office*, until he had paid 3 l. 7 s. for it ; for which his Lordship not only Threatened, to have the said *Lucy* Punish'd, but Adjourned the Court, meerly for a few days in Order to the doing it. And that thereupon *Lucy*, *Sandys*, and *Griffith*, became so Incens'd, that the same Night, or the next Morning after the said Adjournment, they Met, Contrived and Combined to divert the storm that Threatned themselves, by the Commencement of a Prosecution against his Lordship. And it hath been also further in Proof, from a Letter under the said *Robert Lucy's* own hand, bearing date 10 Oct. 1691. which he Wrote to his Brother *George Lucy*, wherein he tells him, that as something must be Immediately done against the Bishop (whom he therein stiles the *Grand Consistorial Visitor*) so he would not spare anything to Prosecute him, and that he would go very speedily for London in order thereunto. And whereas I have not only said, but have in effect proved, that the Copies of the *Tables of Fees*, which were produced, do no ways affect the Bishop, so as to render him Guilty of having taken Illegal and excessive *Fees* for *Collations*, in that they do no ways relate unto, nor declare what the *Fees* payable unto him were, but only what might be demanded by other Officers, I shall nevertheless subjoyn one other Evidence thereof, which as it will be an undeniable Demonstration of it, so it will serve to cover some People with Shame for having admitted, and to Cloath the Author of the *View* with Confusion, for having alledged the aforesaid Copies, to the fastening the Crime of Extorsion in this matter on the Bishop. For as the word *Judici* annexed to every quantum and particular Summ, mention'd in those Copies of the *Tables of Fees*, doth uncontrollably declare them to referr to such *Fees* as are payable in the *Consistorial Court*, and to the Officers thereof, and not to the Bishop ; so it will appear in the fullest Light, we can desire, that they do only relate to the *Fees*, which are to be paid in the said Court, to those there who have a Right to receive

Ch. Price,
the Bp's.
44. Wilm.
Ans. ad
Aetio. 3.

ceive Fees, and not at all to the Bishop, if we will but allow our selves to observe, that as the Fees for the Letters of Orders, of a *Promot. 29. Deacon*, are there reduced to 3s. 4d. so the Fees for the Letters *Wim. An. of Orders of a Priest*, are brought down to, and fixed at 6s. 8d. *ad Artic. 10m.* Whereas in both these Cases, the very Canon allows the *135. Can* Fees payable to the Bishop to be 10 s. From all which, as I may *An. 1603.* now very safely conclude, that the whole advanced by the Author of the *View*, on the Authority of those Copies of Tables of Fees, is nothing but either Gross Equivocation, or down right Sophistry, in that the making these Copies to be declarative, of the Fees, which the Bishop hath a right to require and receive is meer Fiction and Fable; so I may from thence also very confidently add, that admitting all to be true, which hath been brought by the Writer of the *View*, in Proof of the Bishop's having taken 6 l. 1 s. for every Collation; (tho' he himself owns, that *Thomas Powel the Deputy Register deposed, that the Bishop gave him Orders to receive only pro Collatione 5 l. 16 s.*) Yet it is both impertinent and insignificant as to the fastening any guilt in that matter upon him; seeing he pleads a right for doing it, and consequently owns, that tho' he had done it, he is nevertheless therein altogether Innocent.

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View. p.
18.

So that having no further occasion, either to encounter the Author of the *View*, on that head, or to justify his Lordship's having Practiced, what the usage and Custom of the *Dioceſs* of *St. David's* abundantly Warranted him in, I may now proceed to the Examination of what is said by that Writer of the Bishop's not having alway's confined himself to that *Summ*, but that he had often Exceeded it. In the Answering whereof, I doubt not the making that Author appear a very weak man, or something worse. And I wish that Reflecting on his *Intellectuals*, could excuse and cover his *Morals* from being Reflected upon: And that the Exposing his *Understanding*, could save him from being too justly Chargeable with guilt in his *Will*. And seeing he begins with *Peter Lewis*, of whom he not only says, That he paid to the Bishop for his Collation to *Lanrian* 8 l. 14 s. 4 d. but adds that he Presumes the Reader has not forgot upon what hard Terms he got the Promise of that Vicarage; I shall also begin with it, and as to the Terms upon which he got the Promise of the said Vicarage, do refer my self, to what I have said in the forgoing Sheets, wherein I have so Vindicated the Bishop from all Obnoxiousness, to blame in that matter

Summary
View. p.
19.

ter, as both to Lodge great Ingratitude upon *Lewis*, and to shew the feeble Malice of those who accuse his *Lordship*, of having done any thing in that Transaction and affair, which was either unjust, or unbecoming his Character and Dignity. But whereas this *Writer* accuseth the *Bishop* with the having received 8 l. 14 s. 4 d. for *Collating* the said *Lewis* to the *Vicarage* of *Lanrian*, I must not only Charge this *Lewis* with downright Perjury, as well as with the having Contradicted himself, in that particular; but I must also accuse the *Writer* of the *View*, of being Guilty either of great Supineness, in not comparing One part of *Lewis's* Deposition, with an Other Part of it; or of great Infidelity in concealing some of it, and thereby of Misrepresenting it, and of imposing on his Readers. For tho' *Lewis* in his Answer to the 4th. Interrogatory, Lewis, the had positively Sworn, that for the Fees of his Collation to Lanrian, he had Paid to Mr. Slingsby the Bishop's Secretary the Summ of 8 l. 14 s. and 4 d. Yet in his Answer to the 20th. Interrogatory, he acknowledgeth upon Oath, that che said Summ, was paid not barely for his Collation, but for the Instruments of Institution, Sequestration, Relaxation, License to Preach, and Dispensation for Non-Residence. Whereby as *Lewis*, in his Answer upon Oath to one Article, hath palpably contradicted what he had Sworn in his Reply to an other, and thro' his doing so, hath not only shewed, that he Deposed with great Carelessness and Inadvertence, but that he had undeniably Perjur'd himself; so I cannot omit charging the Author of the *View*, with great insincerity, both in his making the Summ of 8 l. 14 s. and 4 d. to have been paid for one Instrument viz. that of Collation, which had been paid for Several more in Conjunction with, and as well as for that, and likewise for the having upon that Falsehood and Misrepresentation, dared to Assume the Impudence, and to express the Malice of Aspersing and Defaming the *Bishop*, with the taking above 6 l. 1 s. for every Collation. Nor can I forbear adding, that his *Lordship*, instead of having extorted more for all the aforesaid Instruments, than he had a Right to demand and receive, he took Considerably less from that ungrateful man, than what by ancient Usage and Custom he might have Claim'd. And tho' I suppose the Reader will now easily discern, what an advantage I have, of being severe upon the Author of the *Vew*, for his Shameful Prevarications, and Loathsome Insincerity, in the repoting the forementioned Deposition of *Lewis*, yet seeing the being so on him, would Neces-
sarily

Tacit.
Annal.
Lib. 3.

Id. Annal.
Lib. 15.

Liv.

Tacit.
Annal. 2.

Summary
View p.
19.

The Pro-
mot. 5.
Wim. Ans.
ad Artic.
13, 14, 15.

family lead me to speak of others with less Civility, than I am willing, I shall therefore forbear the saying any thing, either of them, or of him, save that as the *Bishop* was, by reason of the Pique and Revenge of some Men, selected to be *Conspirazione inimicorum, & invidia falsi criminis oppressus*, to be ruin'd by means of the Conspiracy of his Enemies, and thro' the Loading him with Forged and Feigned Crimes; so every thing was to be taken hold of, that was, *Augenda Infamia compositionum*, any way's Conduceable to the rendring him Infamous; or that could be Wrested or Misapplied, *Suggerendo flammam invidiae*, to the Augmenting the Flame, and Blaze of Envy against him: Of all which the Writer of the *View*, was the most capable Person imaginable, for giving us the *Memoires* in the way and manner, which would best agree with those Villanous method's, as being qualified by his long Practice, in the Art and Trick of *Chicanery*, *intendendo vera, & adgerendo falsa, variis modis criminari*. by stretching what was true, beyond what it could amount to the Proof of, and by the adding of Falshoods to perverted Truths, to Calumniate in and after Various and different way's.

But to proceed to the Examination of what the Author of the *View*, hath further advanced in Proof of the *Bishop's* not confining himself to the taking of 6 l. 1s. as Fees for every Collation, which is that *John Barnet* hath Sworn, that he Paid 9 l. or 2s. more or less, for Collation Fees, and that Dining with the *Bishop* about a week after the Collation, the *Bishop* told him one thing was forgot, namely the not taking out a License to Preach in his Diocess, so that *Barnet* was obliged to take out one, and Pay 13s. 4d. for it. In my Answering whereof, I have several things to say, whereof the First shall be, that this *Writer*, with his wonted Malice, as well as well as insincerity, hath reported this Deposition of *Barnet's* in so Fraudulent and Equivocal a manner, as if he would have the Reader believe, that the fore-mention'd *Summ*, had been Paid immediately to the *Bishop* himself, when indeed *Barnet* Deposed no such thing, yea Deposed that which was vastly different from it. The words of his Deposition being, that having Received a Collation to the Vicarage of *Clirow* formerly *Bishop* in the Year 1688, he paid for the Fees thereof to *Mr. Slingsby*, the *Bishop's* then Secretary about 9 l. it being either 2 s. over or 2 s. under. So that were all true, which *Barnet* hath Deposed, yet it neither doth, nor can affect the *Bishop*, unless it could be proved, that either *Mr. Slingsby* had taken

taken so much by the *Bishops Order*, or that he had accounted for so much to the *Bishop*. And as neither of these, ever came into Proof; so it is positively Sworn by *Slingsby*, that he never accounted to the *Bishop* for more received of *Barnet* for *Collation Fees*, than for 6*l.* 1*s.* And should we therefore admit that *Slingsby* had taken 9*l.* &c. as *Fees* for *Collation* to the aforesaid *Vicarage*, it would only fasten the offence of Deceit, and the Crime of Extorsion on *Slingsby*, but could not Lodge an Imputation of the least Guilt on the *Bishop*, he having been neither Accessory unto, nor so much as Conscious of it. But then 2*ly.* Mr. *Slingsby* hath directly Contradicted *Barnet* in the matter of his Payment of 9*l.* and hath *Deposed* upon Oath before a *Master in Chancery*, that the whole which he received of the said *Barnet*, was only 8*l.* 1*s.* And upon his first hearing of himself Accused for the having taken 9*l.* he offer'd to have Sworn before the *Arch-Bishop* in *Lambeth-Hall*, that he had neither demanded, nor received more, than 8*l.* 1*s.* But his Grace did not think fit at that time, either to admit his Deposition, nor so much as allow him to be Examined in Relation to that Affair. For tho' by the Rules of Justice he ought to have done it, yet these were to be neglected, and departed from, in Subservency to Pique and Revenge. And all the measures of Equity and Righteousness, were rather to be Slighted, and Broken through, than that a Witness against the *Bishop* of St. *David's*, should in the beginning of the *Process*, have been so Affronted in his *Graces* Pallace, and in his Presence, as to have it Proved upon him, that he had Perjur'd himself. But that no such Regard was had for the Credit of the *Bishop* appeared afterwards, when upon the *Arch-Bishop's* offering to have *Slingsby* heard and Examined, and the *Bishop* of St. *David's* answering, that he could not be found, so as to be produced, his Grace, (in hope both of fastening a Lie on the *Bishop*, and also of getting it believed, that is was because, of his not being able to say any thing in his *Lordship's* Justification, that he was not brought to appear in Court) was pleased publickly to say, that *Slingsby* was frequently at *Lambeth-House*, or at *Chamberlan's Bank*. In the declaring whereof, that his *Metropolitanship*, both expressed too little Respect to Truth, and betray'd too much Indiscretion, is made more Evident, than I wish it were, by the forementioned *Deposition* of Mr. *Slingsby* before a *Master in Chancery*.
Where-

See the
Bp's. Al.
legat. 10.
Nov.
1697.

Tacit.
Annal.
Lib. 3.

Id Annal.
Lib. 5.

Summary
View, P.
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Wherein he hath positively Sworn, that he had not been at *Chamberlain's Bank*, as an Officer since the 23 of *October*, 1697, nor but once at *Lambeth* since that time, until his Curiosity carried him thither, to hear the *Bishop's Trial*. But whereas 8 l. 1 s. as *Fees for a Collation*, was to much to have been taken on that account, I do therefore Answer 3ly. that it was not for the *Fees* of a *Collation* alone, that the said Summ was Received, but it was for *Fees for Subscription, Sequestration, Relaxation, and a License to Preach*, as well as for *Collation*. And that *Barnet* paid no more for all these, than 8 l. 1 s. was so far from being an Exaction of more from him, than was Legally due, that he was Favour'd in having had so little demanded and taken. So that instead of *Bishop's* being Criminally affected by any thing in *Barnet's* Deposition, we have a further Discovery given us of the unequal and unaccountable Proceeding of the *Metropolitan* against his *Lordship*, in allowing what the said *Barnet* Swore, to be of any Significancy, to the proving him Guilty of having Exacted Excessive *Fees*, and also of the Malice of the *Author* of the *View*, in Defaming the *Bishop* in Print, upon so False, as well as so Impertinent an Allegation. And as all the Reflection I will make at present, on the *Former*, shall be only to observe, how that by reason of being Embark'd in a Party and Faction. *Non mos, non jus, neither Justice, nor Ancient Methods* are attended unto, but *deterrima queque impune, & multa honesta exitio sunt*; The worst Crime escape Unpunish'd in some, and the most Innocent Actions are perverted into occasions of Ruining others; so that which I will at this time say in Relation to the latter, shall be that *cui ira violentior, to a Man transported by Anger and Hatred*, any thing will serve as *Materia Criminandi*, for the Calumniating of him, against whom he is enraged.

But to proceed to the next Instance, alledged by the *Author* of the *View*, in proof of the *Bishop's* having taken Excessive *Fees* for *Collations*, viz. That he had done so of one *John Lloyd*, which he says, he could not omit the mentioning of because it is attended with a pleasant circumstance. Which by that time I have inquired into, and have examin'd, I question not the making that *Writer* to lose the pleasure of having named it, unless he be one, who is both *avidus male fame*, ambitious of being accounted himself an infamous person, and contemptor *sue infamiae* that doth not value himself the less for being
se,

so, which if we may believe *Tacitus*, others have had deservedly said of them. Only I think it needful previously thereunto, ^{Annal. Lib. 8.} to call over, and to make some Reflection on what he hath in the way of a Preface to it, Namely, *That as it would be endless* ^{Ubi supra.} *to run thro' all the particular Instances of the Bishop's Exactions of that kind; so it is needless considering how many are crowded into Mr. Powel's last invocated Deposition.* And the First Reflection I would make upon this is, with how much Artificial Cunning he seeks to cover a *Suborn'd* Deposition, under the stile of an *Invocated* one. For as *Powel* courted *Lucy* to Bribe him; so *Lucy* hired *Powel* to become a Witness against the *Bishop*, i. e. in this Gentleman's Modern Phrases, they mutually *Invocated* one another. For this *Writer* was not Ignorant, that the generality of Mankind, do more mind the *Names* by which things are Stiled, than the *things* themselves which are couched under them; and that they are therefore to have Matters and Facts, which would be abhor'd, should they be disclos'd in Words and Language expressive of them, as they really are, to be represented in Terms, which the People can both allow, and are fond of. Which as the Wise *Historian* hath laid before us in many Instances, as in telling us of some, that *miseram servitutum, falso pacem vocant*, they call intollerable Bondage and Slavery ^{Tacit. Lib.} by the Name of Peace; and that *ubi solitudinem faciunt, pacem appellant*, by making Countries Desolate, they pretend to have Estab- ^{Id in Vit. Agric.} lished them in Quietness: So he gives us one Instance thereof, in a matter Parallel to what we have before us, of which I shall therefore presume to put this Author in mind in the Words of that *Historian*, *Qua alii scelera, hic remedia vocat*, what others would stile Villanies and Crimes, he calls Methods of Discovering ^{Tacit. Hist. Lib. 1.} Offences, and means for getting them Punished, *Dum falsis nominibus — contumelias, disciplinam appellat*, which he by and under false Names, stileth the Calumniating a Person, and the Accusing him of Forged Crimes, the Promoting of Articles, and the Commencement of a Legal Process. And whereas the said Author would have the Reader believe, that the reason why he gives no more Instances of the *Bishop's Exactions* of that kind, is because ^{Summary} *it would be endless to go thro' all of them*, and that only ^{co-View. p. 10.} *inopia fecit*, his naming so few, proceeded only from his having it in his power to have mention'd many; I must in the Third place make this Reflection upon it, that no Man ought to believe him therein, if he will consider either with what Ran-

cour and Malice, he hath endeavour'd thro' his whole Pamphlet, to Defame the *Bishop*, and to render him Infamous, as well as to Expose him to be Lampoon'd and Redicul'd, or how many, not only Trivial and Insignificant, but apparantly False and Forg'd Stories, he hath put into his Memoir's, and account of the *Proofs of the Articles Exhibited against the Bishop of St. David's*, by which Title he Stiles his Book. But as it is neither my business, nor agreeable to those Rules of good Manners and *Bienſeance*, by which I govern my self, to encounter a *Huff* and *Bully*, who only Struts and Hectors, because he dare not be a fair Duellist, nor give the length of his Weapon, or declare in what manner he will Fight, I shall therefore take no further notice of the foregoing *Rodomantod*, save merely to tell him, that if the *end* of his Intellectual Sense, as well as of his Morals, lay not within view, and under a narrow extent, and very near the *beginning* of them, he would never have thought of perswading his Reader, he had omitted any thing that could Criminally affect the *Bishop*, because it would be *endless to repeat it*. Seeing he hath given sufficient Evidence, that as his hatred of this *Prelate* beareth equal Dimensions with the Wrath and Revenge of the Conspirators against him, so that he can also enlarge his own Insincerity in Reporting, proportionably both to their Romantickness and Fabulousness in Depositing, and their Perjuriousness in Swearing. And that this *Author* had nothing further to Alledge, which he could hope, that either the most credulous of his own Friends, or of the Bishop's Enemies, would give Credit unto, beyond and besides what he hath produced, will fully appear upon an Examination of what he hath said about the *Bishop's* having both Exacted excessive *Fees*, and Unrighteously Extorted Money without any Valuable consideration for it, of, and from one *John Lloyd*, to which I am now to address my self. And this *Author's* account of it (according to the manner of *Lucian's Writing True History*) is that in the Year 1690. the *Bishop* Wrote a Letter to Mr. Meyrick, to send one *John Lloyd* to Burrough-Green in Cambridgeshire to be his Lordship's Curate there. And that Meyrick supplying him with Money, Lloyd went, Mounted on a Coach-Horse of the Bishop's, as the Letter directed. But that when he got down to Burrough-Green, the Bishop told him he was provided of a Curate, and perswaded him to accept of a Collation to the Vicarage of Lanrian

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of about 21 l. per annum. For the Fees of which Collation, and a Horse not worth above 40 s. Lloyd gave the Bishop a Bond of 13 or 14 l. which Bond Meyrick (who gave this Deposition) saw. Concerning which this Writer adds, That allowing the Bishop to have lent Lloyd 3 l. and that the Horse was worth 4 l. as one of the Bishop's Witnesses will have it, yet the disappointed Curate paid very great Fees for a Collation to a very small Vicarage. Now in my Examination of, and in my Replying to this, I have diverse things to say, and such as may make this Author blush, if he be capable of it, which I am afraid he is not, *Rubor* being *virtutis Color*, blushing being a sign and symptom of Vertue, to which (before I have done with the present story) this Writer will appear to have little pretence. And the First thing I will say, shall be in further Justification of what I have insinuated before. Namely, that his omitting to give more Instances of the Bishop's Exaction of excessive Fees for Collations, was not because it would have been endless for him to do it, but because he could not ; in that all he alledgeth about Lloyd, is meerly on the hear say of others, and not upon the Deposition of Lloyd himself. For we may be sure, that he who would lay hold of a Story, on the bare report of another, for the defaming of the Bishop, would not have neglected the producing every thing against him, that he could have thought would be subservient to his design, nor will it be here unworthy of our observation, that the person, on whose Deposition upon hear say, this whole story is Grounded, is the famous Mr. Edmond Meyrick, of whom I have said enough before, for shewing that no credit ought to be given to what he either says, or Swears. And we may be the more confirm'd in the belief of the Character I have given of him, and particularly of his revengful malice against the Bishop, and how much and readily he swore at random to any thing, he hop'd would blacken him, by one Clause and Article of his Deposition which relates to Lloyd. Which is, *That the Horse which the Bishop sold to Lloyd for 4 l. was not in his Judgment worth more than 40 s.* The Pro-
mot 28
Whereas we have an undeniable evidence of his being worth more, Witt. Anf.
from his having been actually sold afterwards for 4 l. And that ad Artic.
not only after the having perform'd the journey of carrying ¹⁶
Lloyd home to Carmarthenshire, but so much was given for him even in Wales, where neither Money is so plentiful, nor do Horses bear so high a price, as in Cambridgeshire. And as it

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The Bp's
12 Witn.
Resp. ad
Artic. 12.

The Bp's
23 Witn.
Answ. ad
Artic. 13.
The Bp's
23 Witn.
Answ. ad
Artic. 13.

Ubi supra.

was not from want of Understanding and Judgment, but because of his being a false, unconscionable, and villanous man, that *Meyrick* swore the Horse was not worth more than 40 s. so were not the *Morals* of the *Author* of the *View* of a dimension with *Meyrick's*, and had he not also some defect in his *Intellectuals*, he would never have mention'd *Meyrick's* having Deposed it, especially when at the same time, and in the same place he is forc'd to confess, that *John Gwyn* had deposed upon Oath, that the Horse was worth 4 l. Nor can I here omit the taking notice of the Infidelity of this *Writer*, in his Reporting of *Gwyn's* Testimony, Namely, that whereas he relates it after a most Sophistical and Fradulent manner, in saying, That allowing the Horse was worth 4 l. as one of the *Bishop's* Witnesses will have it, *Gwyn* not only positively Swore, that the Horse was really worth so much, but withall, added, that having had the Riding of him a considerable Journey the Year before, he could have had 4 l. for him, if he had had power to sell him, and that if he had been his own, he would not have sold him for 4 l. 10 s. And to render the Treachery, as well as the Insincerity of this *Writer* still more apparent, I shall further observe, that where he only tells us, that one of the *Bishop's* Witnesses, will have the Horse to have been worth 4 l. there is also another of them, viz. *Elizabeth Hide*, who hath Sworn and Deposed, that she had been offer'd 5 l. for the same Horse, a short time before the *Bishop* sold him to *Lloyd* for 4 l. But to proceed to a Second Answer, which shall be unto what this *Author* produced from *Meyrick's* Deposition, viz. That he had seen the Bond given by *Lloyd* to the *Bishop* for the Payment of 13 or 14 l. I do say, that the mentioning of it, is altogether Impertinent, unless it be for the discovering of *Meyrick's* Malice and his own Folly. Seeing had the Bond been for 20 l. yea for a 100 l. no Guilt could from thence be lodged on the *Bishop*, unless it had been specified therein, or could have been proved, that is was only for Fees for a Collation, that the said Bond had been given. Which as *Meyrick* did not dare to Swear; so the contrary is acknowledged by this very *Author*. For it was not only Deposed by *John Gwyn*, and Mrs. *Elizabeth Hide*, that 3 l. of the aforesaid Summ had been lent by the *Bishop* to *Lloyd*, and that 4 l. more of it was for the Price of the Horse; but this *Writer* hath positively, and in Terms himself confessed it. Whereunto, let me add Thirdly, that the remaining 6 l. 5 s. (the whole Summ being only 13 l. 5 s. and not

141. as *Meyrick*, and the *Author of the View* from him, would insinuate) which *Lloyd* gave *Bond* for, was not singly and alone for *Fees* for a *Collation*, but also as *Fees* for a *Relaxation*, *Dispensation*, and a *Licence to Preach*. Wherein, as *Lloyd*, instead of having been Illegally Exacted upon, was considerably favour'd by the *Bishop*, thro' his not demanding more; so it may not be amiss further to observe, that the same *Bond* having been taken in the Name of *Thomas Powel*, and not in the *Bishop's own*; how that *Powel* never Paid, nor Accounted to his *Lordship* for it. And this I have the rather mention'd, because as it furnisheth us with a fresh Evidence, of the Fraud and Villany of that Brib'd (or in the Modern Phrase *Invocated*) Witness of the *Promoters*; so it doth likewise serve to Vindicate the *Bishop*, from being so Covetous a Person, as his Enemies, and this *Writer* among others, have endeavour'd to Represent him. Moreover *Fourthly*, whereas the *Author of the View*, upon *Lloyd's* having (by reason of all the foremention'd considerations) given the aforesaid *Bond*, hath Maliciously and Impertinently added, That the disappointed *Curate* paid very great *Fees* for a *Collation* to a very small *Vicarage*; I do thereunto Answer. That as *Lloyd's* being disappointed of that *Curacy*, proceeded not from any fault or unkindness of the *Bishop's*; but from his own having not only neglected to come so soon as he should and might, but thro' his having also omitted to write to his *Lordship* that he intended to come, by reason whereof the *Bishop* became obliged in the interim, to provide himself of an other to be his *Curate*, who proved to be no meaner a man than *Dr. Harrison*, whom all people must acknowledge to have been much preferable to *Lloyd*; so how small soever the *Vicarage* was to which *Lloyd* was *Collated*, yet it was of a double value to the *Curacy* which he had before in *Wales*. Nor can we, without the being at enmity with common Sense, question, but that *Lloyd* would have chosen rather to return to his former *Curacy*, than to have accepted a *Collation* to the *Vicarage* of *Llanrian*, unless he had believed that the *Latter* would be more profitable to him, than the *former* had been. And as it was in great compassion to *Lloyd*, and in way of recompence for his having been disappointed (thro' his coming too late) of the *Curacy* of *Burrough Green*, that the *Bishop* *Collated* him to the aforesaid *Vicarage*; so this *Lloyd* had reason to be also thankful for the having been so kindly entertain'd by his *Lordship*,

The Ep's.
Allegat.
27 July
1696.

Ubi supra.

ship, during the time he stay'd at *Burrough Green*. But *Fifthly*, whereas not only *Meyrick* thought fit to put it into his Deposition that *Lloyd* had gone to *Burrough Green* on a Coach Horse of the Bishop's, in hope that he should thereby Ridicule his Diocesan; but this *Writer* hath been pleas'd also to mention it as a Raillery on the Bishop, and hath therefore both changed *Meyrick's* words and expressed it in *Terms* of his own, that he might be the more *picquant* on his Lordship, and give the more pleasanery to such as should read his Pamphlet, namely, *That he went thither mounted on a Coach-Horse of the Bishop's*; I do thereunto say, that this *Author*, as well as *Meyrick*, have therein only discover'd their own Folly, and their malice against the Bishop. Seeing it is no such unusual Spectacle, to see a greater man than *Lloyd* mounted on a Coach Horse, nor is it accounted such a dishonour to be sometimes no better accommodated, that any, save very weak and foolish people should make sport of it. And as nothing doth more betray a deficiency of Understanding, and the want of good Sense, than for men either to indulge themselves in the making of little *Fests*, or to find relish in them when made by others; so it interfereth directly with the Apostolick Command of *avoiding jesting*, especially that which comes within the circle of *foolish Speaking*. And as all sort of *Buffoonry*, or *Drollery*, doth very much unbecome such as would be thought men either of Learning, or of probity and Vertue; so whatsoever is either petulant, or derisory, is to be held for *Buffoonry*. Nor is every Speaker or Writer qualified to be *Jocose*, there being but very few, who do well understand the difference between *urbanitas*, which is harmless and innocent *pleasantry* of Wit, and *Convicium*, which is *Slandering* and *Defaming*. And as the two Persons whom I have named, do in reference to what I have mention'd them for, come directly under the Character, which the *Historian* gave of one, Namely, that he did *samam urbanitatis per lasciviam querere*, seek after the Reputation of being esteem'd *Divertive* and *Pleasant*, by the being *Petulant* and *Insolent*; so all the Reflection I will by reason thereof make upon either of them, shall be in the Language of the same *Historian*, in bringing one to say of another, that *e petulantia perfidiam suspectabat*, that from their rudeness, we may have more than a bare Jealousy of their *Infidelity* and *Treachery*. And as it was out of great Compassion to *Lloyd*, and by way of Recommendation

Eph. 5.
4.

Tacit.
Hib. Lib.
3.

Id Hist.
Lib. 2.

pence

pence for his having been disappointed (thro' his coming too late) of the *Curacy* of *Burrough-Green*, that the *Bishop* Collated him to the aforesaid *Vicarage*; so *Lloyd* was very kindly entertain'd by his Lordship, during the time he stay'd there with him. Finally, and in the *Sixth* place, whereas not only *Meyrick*, but the *Writer* of the *View*, make and represent *Lloyd's* going thither on a *Coach-Horse*, as a pleasant and divertive spectacle; I dare say, that the *Bishop*, instead of having matter and occasion for delight given him by it, he had cause administred unto him of trouble and regret. For the *Horse* having been Spoil'd by *Lloyd* in that Journey, his *Lordship* was forc'd both to leave him at *London*, together with a *Servant* to look after him, and also to provide an other *Horse* for his own *Coach*, when he went down soon after to his *Diocess*. Nor do I wonder there are some who take pleasure in the Loss and Damage, which befall those whom they hate, when there are so many, who (that I may use the words of the *Historian*) are *malis publicis lati*, delighted with the Misfortunes which overtake their Country. Tacit. Hist. Lib. 3.

But to proceed to what he further Accuseth the *Bishop* of, in his having rak'd together vast Sums of Unjust Gain, by the taking of exorbitant and illegal Fees for Collations, which he says, may in some measure be conceived from what *Walter Watkins* one of the *Bishops* own Witnesses (as he calls him) Answers to an Interrogatory; viz. That the *Bishop* usually removed several persons to several Livings, upon the Vacancy of the First. In my Examination whereof, and in Answer whereunto, I have diverse things to Reply, by which I am in hope, that the *Bishop* will not only be fully vindicated from what he is here aspersed with, and defamed for; But that the *Writer* of the *View* shall thereby become further exposed, and rendred still more infamous. Nor can I in the first place wholly omit observing (tho' I will not much insist upon it) how sophistically and deceitfully this *Writer* endeavoureth to mislead his Readers into a belief, that this *Watkins* was only a Witness for the *Bishop*, whereas it will be evident to whosoever looks over the whole Course of the process, that the said *Watkins* was also one of the *Promoter's* Witnesses, as having been both Cited by him, and in that he had declared that he expected his Expenses from him for appearing. Which this Author having altogether omitted to tell us, and thereby discover'd his insincerity, Summary View, P. 21.

Viz. The
Promot.

12. Witr.

Viz. The

Bip's. 27.

Witr.

Ans. to
Interrogat.
25.

as well as his partiality, might be very justly and severely reprimanded for; yet I will here forbear the doing it, because tho' he appear'd as a *Witness* for the *Promoter*; nevertheless what is alledged by this *Author* out of his *Deposition*, was Sworn unto by him, as he was the Bishops *Witness*. But then Secondly, as it ought not to escape our observation, so it deserveth to meet with Rebuke and Chastisement, that this *Writer* hath both very Defectively and Treacherously given us the Account and Report of *Watkin's Deposition*. For whereas by this *Author's* Relation of it, the Reader might reckon that *Watkin's*, in his *Answer to an Interrogatory*, had from and upon his own knowledge, Sworn that the Bishop usually remov'd several Persons to several Livings, upon the vacancy of the first, in order to his raking together vast Sums of Unjust Gain; he the said *Watkin's* hath declared expressly upon Oath, that he could not tell, whether his Lordship did so, on the account Interrogated, i. e. whether his making these removes, was because of the Fees for Collations, which would unavoidably come to be made and granted thereupon. And I do further Thirdly say, that the whole Allegation against the Bishop in reference to this from *Watkin's* Deposition, is wholly Romantick, as well as altogether impertinent, and the Reporting of it, instead of criminally affecting the Bishop, doth only discover the ignorance and the malice of the *Writer* of the *View*. For which I do give this undeniable Reason, namely that it was not in the Bishop's power to Remove any person from one Living to an other, save by and with the consent of the said person. So that to represent his Lordship in such a manner, as if the Reader were to be led into a Belief, that he could do it whensoever he would; and that therefore upon the motive of Covetousness, and in order to rake vast Sums together, he did usually practice it, is the offering an affront to the Understandings of all Englishmen, and a striving to possess them with an opinion, that a thing is usually done, which is in its self wholly impracticable. For every incumbent on his Collation to a place having by the Law of the Land, a Freehold in it *ipso facto* vested in him for life, and whereof none can dis seiz him, save upon a Legal process, and the being Convicted Guilty of Crimes, which render him obnoxious to be Deprived and Ejected; it uncontrollably followeth, that it never was, nor could be, in the Bishop's power, to Remove any person from one Living to another, except either on the desire

fire, or upon the consent of that person. Which we may be sure, no *Incumbent*, whosoever would have submitted unto, unless he had found his own Particular, and Personal Advantage in it. And the *Bishop* is positive that he never removed any, unless at the *Instance* of the Persons, who for Convenience or Advantage, desired it. So that had the *Bishop* been as Covetous, as his Enemies have falsely represented him; yet he could never have pitched upon that Method of enriching himself, without his being a greater Fool, than his greatest Adversaries have dared to say he is. And had not this *Writer* forfeited Judgment, as well as Conscience, and renounced good Sense, as well as Probity, he would never have applied to that as a *Topick*, nor have made it a *Common Place*, from whence to bring *Mediums* and Arguments, for the Blackning and Defaming his *Lordship*. But *Fourthly*, as to the Instance mention'd in *Watkins's* Deposition, which is but a Single one, though to the further aspersing of him, more be falsely and maliciously insinuated; namely, how that upon his *Collating* Mr. *Phillips* to *Aberedon*, (which he did on the Intercession of Sir *Rowland Gwyn*, who hath since rewarded him in the manner he had done greater Persons formerly, by doing his *Lordship* all the ill Offices he could) he made the said *Phillips*, resign the Two *Benefices* of *Gregoryna* and *Llansfread*, whereof he had been possessed; and which thereupon, he bestowed upon Two other Persons: I do thereunto Reply and say, That the *Bishop* did nothing with Respect to that Part of *Watkins's* Deposition, upon which he is Reproached, but what it was his Duty to have done, and wherein to have failed, would have betray'd a Departure from the Measures of Justice; as well as a Want of Discretion and Wisdom. For *Aberedon*, to which *Phillips* became *Collated*, being the very best *Rectory* in the whole *Bishoprick* of *St. David's*, it would not have been consistent with the Tenderness and Care, which the *Bishop*, by reason of his Office and Dignity, was bound to entertain for, and to express towards the rest of the Clergy under his Episcopal Jurisdiction, to have suffer'd the said *Phillips*, after his having obtained that, to keep his Two former *Living*s in Conjunction with it. So that his causing them to be Resigned and Vacated, cannot be imagin'd to have proceeded from a Principle of Covetousness, but meerly to have been done upon the Motives of Discretion and Equity. Nor is it unworthy of Observation, that this Mr. *Thomas Phillip*,

27 With.

Answ. ad Interrog.

25.

The Bp.'s
36 Wm.
Answ. ad
Artick. 2,
3, 5.

Tacit. An-
nal. Lib.
15.

Rector of Aberedow, hath in a *Deposition* of his own, concerning the *Bishop*, not only Sworn to his *Knowledge and Belief* of his being a *Person of a strict and sober Life and Conversation*; and very *Regular*, and an *Observer of the Discipline of the Church of England*; and to his having heard him once or twice, declare his *Detestation and Abhorrence of Simony*: And that as he would take it ill of any *Person*, that should offer him any *Reward for Preferments*, so he would never *Prefer* any that should *Solicit* him for *Promotions* on that *Account*. And how that he also, this the said *Phillips*, had some *Years* before he gave his *Deposition*, heard *Lucy the Promoter*, and *Thomas Sandys and Jeremiah Griffith*, talk and discourse unbecomingly of his *Lordship*, declaring him *Guilty of Simony, Extortion, and other Crimes*: But he likewise *Deposed* upon *Oath*, in relation to the very *Particular* we are now upon, both to his own *voluntary Resigning of the Two Livings*, which he had been possessed of, antecedently to his being *Collated to Aberedow*, and to the *Bishop's bestowing them upon Two Clergy-Men*, at the same time adding, That he could not tell, to what *Intent* his *Lordship* did it. Whereunto let me be allow'd still further to subjoyn, That as neither of the *Two Places*, which through *Phillip's Resignation* became void, were kept long *vacant*, but were immediately *bestowed*; so one of them, was upon the *Intercession* of the foremention'd *Grateful Sir Rowland Gwyn*, conferr'd upon *Jeremiah Griffith*, (who hath not only been a most unthankful Wretch, but in *Requit*al thereof, and of many other *Offices of Friendship*, hath declared himself to be his *Lordship's* most malicious and revengful *Enemy*). and the other, without any *Intercession*, upon a *Person* who had no *Benefice*, but was judged every way qualified for the having one. So that I think I may modestly say, that instead of the *Bishop's* having been justly accused by the *Author* of the *View*, of having usually removed several *Persons* to several *Livings*, upon the *Vacancy of the First*; he himself deserveth to be accounted an *Impudent Slanderer*, and an *Insolent Defamer*, of a *Prudent and Upright Prelate*: And that in whatsoever he hath caluminated him with in that *Matter*, is only quod adversus infontem, odium expleverit, that he hath wreck'd and satiated his *Harred* against, and upon an *Innocent Man*, as the *Historian* would have express'd it.

And therefore to proceed to an *Examination* and an *Answering* of what this *Writer* hath further said, about the *Bishop's* having exacted *Excessive and Illegal Fees for Collations*, namely,

namely, that his Lordship had no regard to the small value of the Pre-ferments he bestow'd, or would he proportionably lessen his exorbitant demands. In Proof whereof, as he produces two Depositions; 21. so I shall not only call both of them severally over, but shall endeavour to give such Replies to each of them, as were it not, that *flagitiis manifestis, subsidium ab audacia petendum, an illi Man* hath nothing, save an Impudent Assurance to retreat unto, for the bearing him out in the Perpetration of obvious and apparent Crimes, would make this Author ashamed of having mention'd them. Now the First of them is, that one Edward Gwyn, (whom he calls one of the Bishops own Witnesses, Swore to an Interrogatory, that for his Instruments and Collation, to a Prebend of about 40s. per Annum. reserved Rent, he paid 5l. 11s. and for Instruments and Collation to an other Preband of about 7 Nobles per Annum, he paid 3 l. and that the Bishop said, he therein used the said Gwyn kindly. To which my First Reply is, that as there is nothing in Gwyn's Deposition, whereby the Bishop could justly be Criminally affected (as we shall make appear anone) so there is a great deal to be found in it, for the justifying of him from all the Heinous Offences, whereof he was Accused, had this Author been so upright and Impartial, as to have acquainted us with it. And which he having Treacherously omitted, I shall therefore briefly repeat it. Namely, that he believes his Lordship to be a Person of a Strict and Sober Life and Conversation, Regular in his Family, and a constant observer of the Rules and Disciplines of the Church of England: And that he farther believes, he would not be Guilty of Simony on any account whatsoever, and that he had often heard him Declare, his utter detestation and Abhorrence of it, saying he look'd upon it, as Damnable and the worst of Crimes. Yea he moreover Swears, that the Bishop had Freely and Frankly, bestowed some Preferments on him the said Gwyn, without so much as proposing to have any Reward or acknowledgment, either directly, or indirectly; and that he had reason to believe, his Lordship had done so by others, on whom he Conferred Preferments. So that this Writer's calling Gwyn one of the Bishop's own Witnesses, with a design of rendring his Lordship thereby the more Infamous, in that a Person produced by himself, had Sworn to his being guilty of a very great and oppressive Offence, doth only serve to proclaim the folly of the said Writer, and to convince us, that he deserveth to fall under the Character, in which Cicero gives of Cataline, of being Impudent, in that L. Catilin.

Summary
View, p.
Tacit.
Annal.
Lib. 11.

Ubi supra.

The Bp's.
31. Wilm.
Resp. ad
Artic. 2.

Orat. in

L. Catilin.

aliena patientia abulitur, he endeavoreth to corrupt the minds and affront the understandings, as well as to *abuse the Patience*, of his Readers, by Citations, which are both Impertinent, and Repugnant to that they are brought for. But 2^{ly}. I have this further to say in Answer, to what the *Author* of the *View*, would infer, from his pretending *Gwyn*, to have Deposed the payment of the aforesaid *Fees*, for the mention'd *Collations*, that he doth therein betray Egregious Ignorance, as well as exert his wonted Hatred and Malice. In that the *Measures* in which *Fees* are to be paid, is not ordain'd to be in *Proportion* to the *Value* of the *Benefices*, to which *Collations* and *Institutions* are granted; but they are appointed to be in *Consideration* of such and such *Instruments*, be the *Value* of the *Living*s more or less. And were it otherwise, it would be too much in the Power of Bishops, to be as Arbitrary as they pleased, in their demands and Exactions of that kind. • And tho' the *Writer* of the *View* possibly may not know, yet if he had Consulted the *Metropolitan*, I suppose he could have told him, that there are *Texts*, in the *Bible*, wherein Command is given to all Entrusted with *Jurisdiction*, that they shall not Respect the Person of the Poor, no more than Honour the Person of the Mighty: And that they shall

Levir. 19. 15. not Countenance a Poor man in his Cause. That is, they shall not consider the quality, or the conditions of Men; but what the Law hath appointed, in relation to all matters and Cases, which are brought before them. Tis true, that every one may Remit of his own Right, when the doing so, will neither hurt the Publick, nor Prejudice those who may afterwards come into the Place and Station, that he possesseth; but then it should be with this *Proviso*, that he tell them, what by Law and Usage he hath a right to Claim, and that it is meerly out of Compassion and kindness, he abates of it. And were it not so in the Case before us, it would be in the power of every present *Bishop* (which however I am not much in fear they will be Guilty of) not only to wrong those who shall succeed them, but to impoverish and ruin the Church. Wherefore as our Ancestor's stated those *Fees* to be payable in such a *Proportion*, without allowing, unto *Bishops* a *Latitude* of demanding, what they should think fit, on pretence that a *Benefice* was of such or such a *Value*; so it ought not only to be hop'd, but believed, that *Bishops* are Persons of that compassion as to know how to Remit of their very Legal *Dues*, when those *Collated* to *Living*s, are

either

either in *themselves* very *Poor*, or the *Benefices*, *small* and *Mean*. For as the *Law* in all Cases whatsoever, is the same with relation to all *Facts* of the same *Species* and kind, and the Liberty of Executing it in the Vigour, or of Moderating the Execution of it, is entirely left unto, and entrusted with him or them, in whom the Judicial Authority is vested, to Act as the quality and condition of the Persons, and the Circumstances of the Facts will admit, so it is altogether needful, that it should be thus, in whatsoever Rules, Provisions, and Establishments, are made for and about Ecclesiastical Transactions. And I beg the Liberty on this occasion to say, that it were to be wished that *Bishops* were under Regulations and Confinements with Respect to some other things, as well as with Relation to the Fees, which they are to demand. And that I may Instance in one, it would certainly be better, for all those who are *Tenants* and *Lessees*, under the present *Bishop's*, and more especially, it would be to the advantage of such, as shall hereafter be advanced to the Dignities which they do now possess, if the *Space* and *Term* of *Years*, in which those *Leases* are to be renewed, were fixed to a *definite Time*, and not left to the *Pleasure* of every *Ruling Prelate*, who may thereupon (as some of them actually do) make the *Leases* they Grant, to be of a very short Continuance. By which as, as the *Lessees* are made uneasy, thro' their being obliged to frequent *Renuals*, and thereby liable to the often Payment not only of *Fines* (which I will suppose to be in proportion to the time and number of years, for which the *Leases* are granted) but also to an often and repeated payment of certain *Fees*, which amount to as much for a *Lease* of a *Few years*, as they would on the obtaining a *Lease* for more; so it is too obvious, to need being insisted upon, that this Practice, will come to be very Prejudicial to such, as shall come to succeed to those *Bishops* who do it. Nor is it without cause that I mention this, in that whereas *Leases* of that kind, used not heretofore, to be *Renewed* for fewer *Years*, than *Seaven* at least; (and continue still to be so in diverse *Diocesses*, and was particularly done by *Bishop Watson*, in the *Bishoprick* of *St. Davids*) yet the present *Bishop* of *Salisbury*, hath reduced and abridged the *Term* that he Granteth *Leases* for to *Four Years*. Which as it is a departure from what was formerly the constant *Usage* in that *Diocess*; so it sheweth what great Inconveniencies may insue upon *Bishop's* having a *Latitude*

rude allow'd them in any part of their *Episcopal Transactions* and
Administrations. But they who have assumed a *Liberty* in the
 vertue of their *Sacred Character*, of *Paraphrasing* away the
Doctrines, and who have been Endeavouring to *Introduce Inno-*
vations into the *Worship* and *Discipline* of the *Church of England*,
 may be permitted to challenge a power of making what *Alte-*
rations they please, in those matters and things which belong to
 to them *per Baroniam*, and by reason of those *Tenures*, which
 are Vested in them by *Secular Laws*. Tho' nothing is more a-
 bominable in it self, or more inconsistent with the welfare and
 safety of mankind, than to give such an allowance to those in
 Dignity and Power, as that Sycophant said belonged to *Cara-*
calla, that *licet, si siber, every thing was lawfull for him to do,*
which from whatsoever Principle, or on whatsoever motive he had a
mind to do. And as *Laws* respect not *Persons*, but *Things* and
Facts; so we may bid adieu to *Justice*, and to all *Equality* in
Juridical Proceedings, when a *Judge* not only

Spart. in
 Vit. Anton.
 Carac.

Incan-
 Lib. 8.

————— *Pendere Justa*
Incipit —————

Weigheth matters in other Scales, than those of the Law;
 but is permitted to do it. Whereupon I *Answer* Thirdly,
 that as it was not the present *Bishop* of *St. David's*, who Or-
 dain'd and Setled the *Proportion* and *Quantum* of what *Fees*
 should be Paid for *Collations*, *Institutions*, or for any other *In-*
struments, these having been all appointed and fixed, long be-
 fore he came to be Advanc'd to that *Bishoprick*, and Received
 accordingly by his *Predecessors*; so there is nothing in Proof, of
 his having either demanded, or taken more, than what had
 been appointed in that *Diocess*, and Paid unto former *Dioc-*
sans. Yea instead of that, it doth not only appear by what
 we have formerly said, that he always took much less, than
 severall of his *Predecessors* had frequently exacted; but it hath
 been likewise shew'd in various Instances, that he frequently
 Abated in what he might Rightfully have Claimed, and con-
 tented himself with *smaller Fees*, than ought to have been
 Paid by those who were *Instituted* and *Collated*. Nor can
 I here omit observing how Ridiculous the *Author* of the
View makes himself, thro' his having endeavour'd to fasten
 the exaction of *Illegal* and *Excessive Fees* on the *Bishop*, by
 and

and from the Assignment and Allegation of an *Instance*, wherein his *Lordship* took *lesser Fees*, than by the Usage and Custom of the *Dioceſs* he was Entitled unto. Seeing that in the room of 6 *l.* 1 *s.* as *Fees* Payable to him for the Collating of *Edward Gwyn* to the *Prebend* of *Bowlſhard*, he took (by this *Writer's* own Acknowledgment) but 5 *l.* 11 *s.* and instead of 6 *l.* 1 *s.* for his Collation to a *Curſal Prebend* in the *Church* of *St. David's*, his *Lordship* (by this very *Author's* confession) received no more than 3 *l.* So that the *Biſhop* might both with very great Modesty and Justice tell *Gwyn*, that he had uſed him kindly, without the having it mention'd in the way of *Irony* by this *Writer*, in order to the expoſing his *Lordship* to *Lampoon*, as well as to *Reproach*. Moreover I have in the way of a *Fourth Answer* this further to add, *viz.* That the *Author* of the *View*, hath moſt Egregiouſly Falsified and Prevaricated, in ſaying that the 5 *l.* 11 *s.* was only as *Fees* for *Collation* to the former *prebend*; and the 3 *l.* as *Fees* for the having been merely *Collated* to the latter; ſeeing *Mr. Gwyn* himſelf hath Depoſed upon Oath, that the ſaid 5 *l.* and 3 *l.* were not only Paid as the *Fees* for *Collations* to the aforeſaid *Prebends*, but likewise for diſverſe other *Inſtruments*. Seeing that as *Inſtruments* for *Collations*, are ſeldom or never granted without other *Inſtruments* (nor is it well poſſible they ſhould) ſo *Edward Gwyn* hath owned in the very Depoſition, (out of which the *Author* of the *View* hath brought the aforeſaid Allegation in *Defamation* of the *Biſhop*) that he was not certain whether he had not more *Inſtruments* with thoſe of his ſeveral *Collations*. But finally, I have ſtill to ſubjoyn in the way of a *Fifth Answer* to the foremention'd *Slanderous* and *Reproachful Accuſation* of the *Biſhop* of *St. David's*, in relation to the matter we are upon; that whereas this *Author* affirms the value of the one *Prebend*, to be only 40 *s.* per *Annum*, and the Value of the other, to be not above Seven Nobles per *Annum*, he hath in both theſe particulars, betray'd the greateſt Treachery and Falſehood imaginable, and given us a further evidence, that his deſign was not truly to Inform his Reader, but to Impoſe and Miſlead him. And that in his being the *Cook* of this *Ra-
gouſt* for thoſe *Guests*, whom the *Metropolitan* thought to entertain, he hath mixed *Ratesban* with his *Viand's*, in order to *Poyſon* them with an ill Opinion of an Innocent *Pre-
late*. Seeing how ſmall ſoever theſe *Preferments* are, with
reſpect

respect to the *Reserved Rent*, yet they are *considerable Benefices* by reason of the Profits annexed unto, and of the appurtenances which do attend and accompany them. And had not the Malice of the *Author* of the *View* against the *Bishop* of *St. David's*, extinguish'd in him all Principles of Honour and Virtue, he would not have *Bubled* and *Sham'd* his Readers, with a bare and naked report of the foremention'd *Reserved Rents*, but he would also have told them, both of the *Value* of the *Corps* of the *Prebend* of *Bowshard*, and of the *Value* as well as the *Privilege* of being a *Cursal Prebent* in the *Church* of *St. David's*, which render those *Preferments* very desirable, and of Advantage to those on whom they are bestow'd, how small and contemptible soever the *Reserved Rents* seem to be. Wherefore I may now very justly say, that the Account which the *Author* of the *View* hath been pleased to give us of this matter, doth only serve to tell us, that he knows how *servire scena*, as also how *uti Foro*. For having not only *versatile ingenium*, *Intellectuals* qualifying him for all undertakings and designs, but being likewise one of those, of whom *Pliny* says, *Pauci Conscientiam vereantur*, few are careful of maintaining a good Conscience, I do the less wonder to find him guilty of the fault, which the *Historian* hath expressed in the words following, Namely, That *quemadmodum vis morborum pretia medentibus*, as the malignancy of diseases bringeth gain to the Physicians; *Sic Fori Tabes pecuniam advocatis ferat*, so Corruption in Juridical Proceedings, doth administer an Advantage to Advocates of getting into places both of Honour and Profit. But how either *Enriching*, this unfaithful Relation of Matters of Fact, may have prov'd to this *Mercenary Writer*, or how *Grateful* it may have been to the *Metropolitan*, because of its harmonising so well with the manner of his *Grace's* Jurisdiction Proceedings; and tho' possibly they two may be sufficiently pleased, in the being able to say, *Satis magnum alter alteri Theatrum sumus*; yet it must needs greatly provoke as well as offend those, who expected a true Narrative of what had been in Proof against, and for the *Bishop* of *St. David's*, but instead thereof, have Lies and Falsehoods obtruded upon them. And how much soever this *Subtracting* from, *Adding* unto, and *Perverting* of *Depositions*, may be not only connived at, but commended by some calling themselves Christians; yet the old *Heathen Romans*, who Condemn'd one of *Theft*, meerly for the *Riding* his

Lib. 3.
Epist.

Val. Max.
Lib. 9.
c. 2.

his

his Neighbour's *Horse* a little farther, than he had ben lent unto him for ; would have put a very severe construction upon this unsincere and deceitful manner of Writing Judicial and Publick Transactions.

But I must go on to the next *Instance*, given by the Author of the View, of the *Bishop's* having no regard (in his *Exaction* of Fees for Collations) to the small Value of the *Preferments* which were bestow'd, Namely, That the *Bishop* having Collated *Jeremiah Griffith*, Anno 1691 to a *Vicarage*, (*viz.* That of *Lanstfreed* in the County of *Radnor*) for which he made him Pay 6 l. and said he would stand to it ; did at the same oblige him to take a Collation to a *Prebend*, for which he the said *Griffith* (receiving and paying all that belongs to it) has hitherto been Four Pence out of Pocket every Tear, besides *Procurations* ; and that there is no manner of expectation that ever it will be otherwise, there being no Corps belonging to the said *Prebend* ; and yet that he the aforesaid *Griffith* was oblig'd to Pay for that Collation 6 l. 1 s. and at the same time to quit a *Beneficial Prebend*, otherwise the *Bishop* would not have given him the *Vicarage*. Now tho' I might in way of Reply to this, entirely refer the Reader to what hath been said in Answer to the immediately foregoing Allegation, much of that being here applicable, and equally serving to shew the Insignificancy and Impertinency of whatsoever is here further Alledged, as particularly, that according to Ancient custom and usage in the *Diocess* of *St. David's* Fees for Collations were 6 l. 1 s. and that the *Bishop* could not make less to be due and demandable on that account, tho' he might remit and abate of it, when it was Paid to himself: Yet I shall not think it amiss to make some particular Returns, to what is here Produc'd and Related by this *Writer*, from and upon *Griffith's* *Deposition*. And the First thing I would say in Answer thereunto, (whereof I beg the Reader to be mindful) is, that the Person who Swears to all this is *Jeremiah Griffith*, who, by the Character which hath been given of him before, will appear to be one who ought not to be Believ'd in any thing, which he either Says, or Swears. For besides that it hath been made evident, that he is the *Bishop's* Declared and Avow'd Malicious and Revengeful Enemy ; and that therefore by all Rules of Law, his *Testimony* is shut out from being Receivable against his *Lordship* ; it hath been also demonstrated, that he is a Person upon many other accounts too Infamous

Griffith
the Promot.
8. Witr.
ad Artic.
13, 14,
15.

Ubi supra.
ad Interrog.
38.

to have had *Credit* given to him either against any *Person*, or in any *Court* whatsoever. And that no wrong was done to *Griffith*, (unless it be accounted one to have Represented him as he is and deserves) nor the *Reader* imposed upon by the *Character*, which hath been given of the *Former* to the *Latter*, will be still more apparent, after we have observed what he hath *Sworn*, in that *Article* of his *Deposition*, which relates to this that we are now *Discoursing* of. Wherefore my *Second*, *Answer* shall be, that whereas *Griffith* hath *Deposed* upon *Oath*, That the *Bishop* oblig'd him to take a *Collation* to a *Prebend*, which is rather an *Incumbrance*, than an *Advantage* to him; he hath therein *Sworn* *Falsely*, because to a thing altogether impracticable. For as it was not in the *Bishop's* power, either to make him *Resign* one *Prebend*, or to force him to accept a *Collation* to another, without his free and voluntary *Consent*; so *Griffith* doth too well understand what is for his *Advantage* and *Interest* in this *World*, (how little soever he may mind the next) to have ever complied with, or have submitted thereunto, had he not previously known how *Gainful* it would be to him, so to do. And he was also much better acquainted with, and had a more perfect knowledge of the *intrinsic Value* of all the *Living*s and *Preferments* in the *Bishoprick* of *St. David's*, than to suffer himself to be so *Impos'd* upon by the *Bishop*, as to be drawn to part with what was *Beneficial*, for that which would be a *Loss*. Nor will any Man be surpriz'd at *Griffith's* having *Perjur'd* himself in that particular; if they do but observe with what *Impudence* he hath *Sworn* to another most *Notorious* *Falschood* in the same *Deposition*, Namely, That he was so far from looking upon *Lucy* the *Promoter* to be the *Bishop's* *Enemy*, that he doth believe he has been one of his best *Friends*, and that he had never bear'd him use any *Scurrilous* *Language* towards the *Bishop*, as he can remember. Whereas not only *Lucy's* *Enmity* against the *Bishop*, had been openly declared, and was publickly known; but his having also spoken all the ill things imaginable of his *Lordship*, by which he could hope to render him *Infamous*, hath been fully in *Proof* under the *Testimony*, and on the *Oaths* of many *Witnesses* of unquestionable *Reputation*. But the *Mystery* of all this will be easily unravell'd, and also the *Sordid* *Conceit* of *Griffith*, (instead of the *Bishop's*) made apparent, if we will be so just to our selves, as to observe one particular more, in that very

Article

Article of his Deposition. Namely that he was obliged to quit a *Ubi suprt.* Beneficial Prebend, for one that is rather an Incumbrance, than an Advantage to him, otherwise the Bishop would not give him the Vicarage of Llanstfread. And as this doth Lead me to a 3^d. Answer; so it will give me an occasion of Discovering, how Grifith as well upon this, as on several other accounts, came to be so Malicious and Revengeful an Enemy of the Bishop's. For whereas upon his Lordship's Collating Grifith to the Vicarage of Llanstfread (which was done upon Grifith's own earnest and importunate desire, and Solicitation) he obliged him to Resign the Prebend, whereof he was possessed before, I do say that instead of having therein done any thing that was unbecoming his own Episcopal Character, or Oppressive of Grifith, he did that which shewed him to be no less a good, than a wise and a just Man. And it would have been to have acted very disagreeably to his own Duty, and very unkindly towards diverse Worthy men of the Clergy, to have permitted Grifith, to Engross to himself alone several of the Richest Benefices of the Diocess, (especially when he never performed in any one of them, what his Office required of him); so it discovered both very great Discretion in the Bishop, and what singular Care he took to have all things in his Bishoprick managed to the Credit and Benefit of the Church, that he made Grifith Resign a Prebend, that was remote from the Vicarage to which he was Collated, for One adjacent to it. And if Grifith would not be satisfied, without his obtaining the Vicarage of Llanstfread, he should be contented with the Prebend belonging to the same place, where the said Vicarage lay. Nor can other reason be assigned for Grifith's complaining of the Bishop's making him Resign One Benefice, when he bestow'd Two upon him; unless it be that his Lordship would not allow him to Monopolize all the Considerable Preferments of the Diocess. Which as he was Covetous enough to desire and Aim it; so he is sufficiently Luxurious, to waste Riotously on himself alone, what many would be thankful, to have divided to, and among them, as a competent Maintenance, And considering what other Places and Benefices, besides the Prebend of Boughrowd, as the Rectory of Diserth, and the being Master of the Free-School of Brecknock &c. Grifith enjoyed Previously to his being Collated to the Vicarage of Llanstfread, it was in my opinion, a Fault in the Bishop to bestow that upon him, without making him

Resign more of them, than that one *Prebend*. Nor can I here forbear saying, that it is a shame that *Plurality of Benefices*, and *Nonresidency*, that is the unavoidable consequence of it, which were condemned as Scandalous Crimes by the very *Council of Trent*, should be so much allow'd, and Encouraged as they are in Church of *England*. But to decline insisting upon that at this time, more needs not be said for Justifying of the *Bishop* in the matter before us, than that as he would not separate the *Vicarage* of *Llanstfread* from the *Prebend* thereof, so he would not permit him, who was to have that *Vicarage* and *Prebend*, to continue in the Possession of an other *Prebend*, when there were so many more, and they very deserving persons, within the *Diocese* of *St. David's*, to be provided for. And therefore to proceed to my Fourth and last Answer to the aforesaid Aspersions upon, and accusation of the *Bishop*, which is, that I have reason to believe, that the *Prebend* of *Llansadefread*, is worth much more *per Annum*, than *Griffith* hath Sworn it to be. For in that I do neither find the great *Tith's* annexed to the *Vicarage*, nor have heard of their being *Impropriated*; I cannot otherwise conceive but that they do belong to that *Prebend*. And I am the more confirmed in this Opinion, upon my perusing and observing, in what Terms, and after what manner, *Griffith* expresseth himself in

Ubi supra. his *Deposition* about the Small value of the said *Prebend*, Namely, that whereas he Swore there are no Crops belonging to it, he addeth not a word about the Great *Tith's* of the Parish, nor whether by Vertue thereof, he be, or be not Entitled to them.

Answ. ad
Artic. 13,
14, 15.

And supposing it should be otherwise in reality and fact, than I have intimated; yet if the *Bishop* had ground of suspecting those *Tith's* to belong to the said *Prebend*, (as he thought he had, and still doth) it will fully justify his *Lordship's* making *Griffith* Resign the other *Prebend*, upon his being *Collated* to it, and the *Vicarage*. So that I may upon these Answers very Confidently affirm, that there is no Exaction of Illegal and Excessive Fees for Collations, without the having a Regard to the small Value of the Preferments, which the *Bishop* bestow'd, fasten'd on his *Lordship* by and from *Griffith's* *Deposition*; but that the impertinency and Folly of the Author of the *View*, as well as severall Villanies of the said *Griffith*, are still further Detected thereby, and made more apparent. And that as in reference to the *Deposer*, the observation of the *Historian*

Tacit.
Hist.
Lib. 1.

es fully verified, viz. That *peffimum veri affectus venenum suavi que utilitas*, the Love which Men have to their own Profit and Gain, doth so Poyson and Insect them, that they have no concern for Truth, or Probity; so I need not go Further, for the finding of words. wherein to make a Reflection on the Relater of that Deposition, than to the same *Historia*, when he says of a certain Person, that he was one who did *vera in contrarium vertere*, *Id. Annal. Lib. 3.* turn Truths into Falshoods, and extract Lies out of Verities. Nor shall I be Injurious either to the Foremention'd Witness, or to the Writer of the *View*; in saying of both of them, that the chief thing which they seem to have designed, was *contumelia, iras accendere*, by their Slandering, and Defaming of the Bishop, the more to provoke the World, as wel as to Incense the Metropolitan against him. *Id. Annal. Lib. 2.*

But seeing the Author of the *View* hath thought fit to tell us, that he cannot finish this Head of the Bishop's Exacting Excessive Fees for Collations, till he hath acquainted the Reader with two more strange Extorsions of his Lordship, in matters incident to Collations; I am bound to wait upon him, and further to expose both his Weakness and his Infidelity. Now the First Deposition to this purpose which he produceth, is, that of one David Lewis, who Deposeth, that about the Year 1690, the Bishop Promised to Collate him to the Vicarage of Treleach Bettus, being then void; and order'd him to provide Six Pounds to discharge the Fees of it; which when he had done, he went to the Bishop, who shewing him a Petition from one who was Curate in that Vicarage, would have had Lewis quit him of his Promise; but that he the said Lewis insisting thereon, the Bishop told him that he should continue the Curate there Twelve Months, and he must take a Dispensation for non-Residence, and provide and Pay him 40 s. for it; and that the Bishop then gave Mr. Powel the Instruments of Collation to keep till the 40 s. were Paid, which Lewis Received from Powel shortly after, upon Paying the 40 s. for the Bishop's use. And upon my Examination of this Allegation, I hope to be able to make those Replies to it, as shall be fully satisfactory to all who have not Sacrificed whatsoever is either a Moral, or an Intellectual perfection, to the serving of a Party and Faction. And the First Answer I would give, is, that David Lewis ought not to be Credited in what he hath here Deposited; in that he hath either thro' Forgetfulness, or Treachery, Swore his having Paid 13 s. 4 d. for Procurations at the Triennial Visitation; when in truth he Paid not one Penny to the Bishop, or for his use. *The Promot. 21. Winn. ad Ann. 24.* For tho'

See the
Bip's. *Allegat.*
Jan. 19, 1697.

Tacit.
Annal.
Lib. 4.

Vbi supra,
ad Interrogat. 13,
14, 15.

Ibid.

tho' I will not deny, But that he had 13 s. 4 d. extorted from him; yet it is fit the Reader should know, that it was *Lucy the Promoter* who Cheated him of that Money, under the pretence of making him Pay for *Exhibition Fees*. But *Lucy* by being engag'd in so Meritorious a Service, as to become *Promoter* in the *Process* against the *Bishop*, was not only to have his Crimes Connived at, but the *Bishop* must likewise bear the Reproach, and be made suffer the Punishment of his Villanies. Nor is it without Precedent, (tho' the Example be set us by one, who deserveth the Name of a Tyrant, instead of a Just Prince) to have some People in Power and Authority, to chuse rather *ut jura potius subverterent, quam Custodes eorum amoverent*, to have all Laws and Justice overthrown, than that such a Minister to their Piques and Revenge, should be discountenanced. Yea there stilt are, as well as formerly there have been some, of whom it may be said in the words of the same *Historian*, speaking of *Sejanus*, *ad quem aditus, nisi scelere querebatur, erat the way of getting into their Esteem, and of obtaining their favour, is thro' being Notoriously Villanous*. And hereof (to omit other Instances) we have lately had a very remarkable one in that Miscreant *William Fuller*, who by daring to be Impudently Slanderous beyond the rate even of the worst of Varlets, became the Darling of too many of the great, as well as the Idol of the Populace and Mob, of those of certain Faction. But then in the *Second* place, I have this further to say by way of Answer to what hath been Alleged against the *Bishop*, by the *Author* of the *View*, from the *Deposition* of *David Lewis*, Namely, That whereas the said *Lewis* hath Sworn, That the *Bishop* order'd him to provide, and told him he must Pay 40 s. for a Dispensation for non-Residence, for the Twelve Months that the former Curate was to continue in the *Vicarage*, to which *Lewis* had obtain'd a Collation; he hath therein directly Foresworn and Perjur'd himself, unless *Thomas Powel*, in whose hands, (as *Lewis* himself confesseth) the Instruments for Collation were lodg'd untill the Fees of a Dispensation for non-Residence, should be Paid, did both egregiously defraud, and heinously oppress him. For as the *Bishop* spoke nothing to *Lewis* about a Dispensation for non-Residence, untill the said *Lewis* (as himself declares) had complied to let the former Curate continue in the foremention'd *Vicarage*, and to serve the Cure for Twelve Months; so the whole which his Lordship gave *Powel* in charge to demand, and to receive for the said Dispensation, was only 13 s. and 4 d. Nor did *Powel* ever

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Account to the *Bishop* for more. And as 13 s. and 4 d. were by Usage and Custom, the Stated and Legal Fees, which were to be Paid in the *Diocess* of St. David's to the *Bishop* for a *Dispensation* for non-Residence, and that consequently the present *Bishop* could be guilty of no Extortion, because of his appointing so much to be required and taken; so we may hold our selves fully assured, that had *Thomas Powell* accounted to his *Lordship* for more, than for the said 13 s. and 4 d. it would on his appearing so maliciously and revengefully against the *Bishop* (as he did) not have escap'd the being Deposed and Sworn unto by him. And therefore whereas the Sum (whatsoever it was) paid by *Lewis* for his Letters of *Dispensation* for non-Residence was (by his own confession) paid to *Powel*, and not to the *Bishop* himself; and forasmuch as *Powel* hath not in the least accused the *Bishop*; either of having order'd him the said *Powel* to take, or of his *Lordship's* having received more than 13 s. and 4 d. from him on that account; we may from thence demonstratively conclude the *Bishop's* being altogether Innocent of what he was calumniated with, in reference to strange Extortions, in matters incident to Collations. And that as *Lewis* thro' his having Sworn he had paid 40 s. to *Powel*, is evidently Guilty of Perjury, in case that the whole he paid to him, was only 13 s. and 4 d. so on the supposal that he should have really paid 40 s. to *Powel*, and that he the said *Powel* did only account to the *Bishop* for 13 s. and 4 d. *Powel* is thereupon the sole criminal, and that thro' his having both oppressed and cheated *Lewis*, and thro' his having been the cause of the *Bishop's* being Slandered and Defamed. So that by *Lewis* and *Powel's* interfrerring with, and their contradicting of one another, the *Bishop* ought to have been declared Innocent of, and to have been held fully vindicated from whatsoever he was accused of in *Lewis's* Deposition. For as the Testimony of every single Witness (whenever he gainsays himself) becometh invalid as to the affecting of those against whom he testifieth; so when two Witnesses Deposing in the same cause, swear repugantly to one another; the whole which either of them saith, is for that very reason to be disbelieved. And tho' the *Metropolitan's* acquaintance with *Civilians*, is in all likelyhood too little for his receiving Instruction by them; yet had he but look't into his Bible, in which we are to suppose him conversant, he would have found, that they who Testified against the Blessed *Jesus*, are called false Witnesses, because their Witnesses agreed not together. For tho' Mark 14.
56.

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the Testimony of different Witnesses, when given in the same Terms and words, and as *Civilians* express it *per premeditatum sermonem*, thro' a previously premeditated and concerted Speech between them, is by the Rules of Law to be greatly suspected of being False, and of having been Forged in the Vertue of a Conjuraton and Conspiracy; yet it is an establish'd *Maxim* among Lawyers of all kinds, that when the *contrariety* between *Witnesses*, is in *Matters* which are *Substantial*, that such *Witnesses* are to be held to have proved nothing. Not but that I Grant, that whensoever they are found to agree in whatsoever is *Material*, and do only differ in some *extrinsick Circumstances*, that then, and in such a case, it is provided for by *Civilians*, that *verba sunt improprianda, ut Testes concordentur*, the words in which they Deposed, shall be admitted capable of receiving such a suppletive Interpretation, as may make the *Witnesses* to agree, and render their Testimonies concordant. But the difference between *Lewis* and *Powel* in their *Depositions* relating to the Case before us, being in the very *material* and *Substantial* part of what they Swore unto; in that *Lewis* swears his being Order'd to provide 40 s. for a *Dispensation* for non-Residence; whereas *Powel* informeth upon Oath, that the whole which the *Bishop* Order'd him to demand and take for such *Instruments*, was only 13 s. and 4 d. it followeth naturally from thence and with an undeniable evidence, that the *Bishop* was not to have been accounted affected by what *Lewis* said. So that the *Bishop* being fully vindicated from the accusation and calumny, of having received from *David Lewis* 40 s. for a *Dispensation* for non Residence, tho' it might be indifferent to me, whether the crimes of falsehood and perjury fall on *Lewis*, for his having Sworn the payment of 40 s. to *Powel* for the *Bishop's* use for the said *Dispensation*, when in reality he only paid 13 s. and 4 d. or whether the offences of Extortion and Deceit, fall on *Powel*, for his having exacted 40 s. from *Lewis*, when he was order'd to require and receive only 13 s. and 4 d. and never accounted to the *Bishop* for more; yet in justice to my self, as well as to mankind, I do hold my self oblig'd to add, that how villanous soever I take *Powel* to be, it is nevertheless my opinion, that it was *Lewis* who Deposed falsely and perjuriously in this matter, and not *Powel* that acted fraudulently and oppressively in it. And the reason of my opinion is, because that besides *Lewis's* having received *Dispensation* for

Ubi supra.
The Pro-
mor. 23.
Winn. ad
Artic. 13,
14, 15.

for non Residence, he had also Instruments of Sequestration and Relaxation, and that it was for all of them (and not merely the Dispensation) that he paid the aforesaid 40 s. to which the customary Fees thereof amounted. But it being none of my business to be *Arbiter hujus litis*, Umpire between them in that matter, nor to decide whether (according to Tacitus's distinction of offences) the one of them be guilty of the *Scelus*, or the other of them of the *Flagitium*, I shall forbear insisting further upon it.

And shall therefore proceed to the Second strange Extortion of the Bishop's in matters incident to Collations, whereof he is accused by the Author of the View which is, that one William Lloyd hath Sworn that he being presented to two Livings, went to the Bishop for Institution, who said they were lapsed to him, but offer'd to collate Lloyd to one of them, and at last by the intercession of a Friend, promised to bestow both on him. On which the said Lloyd moved that they might both be comprehended in one Instrument as they had formerly been, least the first might be void upon the Collation to the other; but that the Bishop would not comply therewith, saying, he would contrive a way, and give Lloyd an Instrument to secure him in both; and that accordingly after Lloyd had received two Collations, the Bishop gave him an Instrument of Union, to hold both with more safety. And that the said Lloyd having not money with him to pay the Fees, took down the particulars of them, from the Bishop's own Mouth, viz. for two Collations 11 l. 12 s. Two Subscriptions 10 s. Two Sequestrations and Relaxations 53 s. 4 d. A Licence 13 s. 4 d. The Union 13 s. 4 d. in all 16 l. 2 s. which he the said Lloyd soon after paid. In the examination whereof, as I shall be as particular, as the matter of which the Bishop, is here accused, requireth I should; so I shall be careful to give those Answers thereunto, as will both fully vindicate his Lordship, from all obnoxiousness to defamation on that account, and also fasten further insincerity upon this Writer. The First thing therefore in way of Reply that I am to observe, is, that whereas this assuming and censorious Author, who is no less unacquainted with the Graces, than he is a stranger to the Muses, hath given such a Report of Lloyd's Deposition, as to endeavour to mislead his Readers into a Belief, that the Bishop's saying the Two Livings (whereunto Lloyd being presented, came to demand Institution) were Lapsed, was only a pretence far ex-

cusing himself, from the performance of his *own* duty, and the doing Justice to *Lloyd*, this *Writer* is therein equally *injurious* to his *Readers*, and *Slandrous* of his *Lordsb:p.* And this will appear demonstratively evident, by the bare calling over that part of *Lloyd's Deposition*, which referreth to the *time* of his *Presentment* to those *Living's*, but which this *Author* hath most treacherously omitted the making any mention of; in order the better as well to conceal his falsely imposing on the *World*, as to cover himself from reproach and censure for having defamed the *B:shop.* For as *Lloyd* hath expressly declared upon Oath, that it was not untill *November 1690*, That he obtain'd by the *Mediation* of *Friends*, a *presentation* from *Sir William Russel*, to the *Vicarage* of *Laugharn*, and the *Rectory* of *Llanfduurnon*, being both then *vacant*, by the *Deprivation* of *Mr. Michael Owen* for not taking the *Oaths*; so it is from thence uncontrollably certain, that the said two *Living's* were before that time *Lapsed* into the *B:shop's hands.* Seeing that as it is expressly provided for by diverse *Statutes*, and therein Enacted, that all *Living's* becoming *vacant*, either by the *Demise*, or by the *Deprivation* of those who had been *Incumbents*, shall within the term and space of *Six Months*, have others presented to them by the respective proper, and *Legal Patrons*, or otherwise to be held *Lapsed*; so it is but to look into the *Act* of the *Convention Parliament* anno 1689, by which the *Oaths* to the present *Government* were appointed and *Ordain'd*, and it will from thence uncontrollably appear, that the foremention'd *Mr. Michael Owen* had stood actually *Deprived* in the year 1689. And consequently that the *aforesaid Living's*, must have been *Lapsed* before *Lloyd's* being presented to them. by *Sir William Russel* which by *Lloyd's* own confession, was not until the *November 1690.* For the words of the said *Act* are, That whosoever having any *Ecclesiastical Dignity, Benefice, or Promotion*, should neglect or refuse to take the *Oaths*, before the first day of *August 1689*, That every such person or persons, shall be suspended from the *Execution* of their *Office* by the space of *Six Months*, to be accounted from the first of *August*; and that if the said person or persons (so having neglected or refused) shall not within the said space of *six Months*, then he or they shall be ipso facto deprived, of his and their *Offices, Benefices &c.* And therefore, as the *B:shop* might very justly say, that the said *Lloyd* had no *Title* to those *Living's* by the foremention'd *Presentation*; in that
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The Pro-
mor. 23.
Winn.
Answ. ad
Artic. 13,
24, 15.

13 Eliz.
c. 2.
31 Eliz.
c. 6.

Primo Gu-
lielm.
Mar. c.
8.

it was granted and obtained *posteriorly* to their being *Lapsed*, and after that the *Patron* stood by Law *divested* of all Power of bestowing them; so it was an act of great Condescension and Goodness in the *Bishop*, to have so far departed from what was become his *Right*, as to have at first offer'd to *Collate Lloyd* to one of them, and to have suffer'd himself to be prevail'd upon afterwards to *Bestow* them both upon him. Especially if we do but consider, how that on the *Lapse* of the said *Living*s into his *Lordship's Gift*, he had promised to *Collate* a *Nephew* of Sir *John Powell's* to them, and had thereby (as is the effect of all Promises, where there is no mention of a previous condition) so transferred all his *Right* to the *Promissee*, as that without Sir *John's* releasing him from the said Promise, he could not bestow them upon any other; so it was both an Act of Kindness and Generosity in Sir *John Powell*, that (on Sir *Sackwell Crew's*, both soliciting the *Bishop* in favour of *William Lloyd*, and his Writing also to Sir *John* himself, to desire he would disengage and acquit the *Bishop* from his promise) he should have so readily, (as he did) released and absolved the *Bishop* from the obligation which he had laid himself under, of *Collating* his *Nephew* to the *Living*s. By all which procedure of the *Bishop's*, as we have an evidence of his Probity, Truth and Justice towards Sir *John Powell*, thro' his adhering to the *Promise* he had made him, untill Sir *John Released* him from it, and of his kindness and favour to *Lloyd*, in conferring those *Benefices* upon him, which he might have rightfully bestow'd on whomsoever else he pleased, who was qualified for Ecclesiastical Preferments; so we have hereby a shameful Proof given us of *William Lloyd's* Ingratitude to the *Bishop*, in the making him so Villanous a return, as he hath done, for his singular Favour and liberal Bounty. And to put it beyond all dispute, that *Lloyd* had no pretence or shadow of claim to the aforesaid *Living*s, by what he calls a *Presentation* to them from Sir *William Russell*; and that the *Author* of the *View* hath grossly prevaricated, in telling us of the said *Lloyd's* being presented to two *Living*s; we are only to remark, that both *Lloyd*, and the *Writer* of the *View*, have expressly owned, that it was upon the *Bishop's* sole and alone *Collation*, that *Lloyd* came into the possession of those *Benefices*. Which as we may be assured the *first* would not have accepted, nor the second

have acknowledged, (in that the doing thereof would have been a prejudice to Sir *William Russell's Right of Patronage*) had not Sir *William* by Law been divested of all Power of bestowing them, and the whole Authority of *Collating* to them transferred to the *Bishop* (thro' their being lapsed) antecedently to Sir *William's* having *Granted* the aforesaid pretended *Presentation*. And as it is a delusive and treacherous misapplying of words, to use them in the expressing of a matter, which they were never *Instituted* and *Ordained* to signify; so the *Author* of the View, hath Falsely, as well as Sophistically Imposed on his Readers, by saying, That *Lloyd* being presented to two *Living*s, went to the *Bishop* for *Institution*, when at the same he knew, that *Lloyd* neither was, nor could according to Law have been presented to them, more than one can have an Estate or Inheritance, bequeathed and convey'd to him by a person, who hath antecedently Forfeited all his Title in and unto the said Estate. But to proceed to a *Second Answer*, which shall be in Reply to that part of *Lloyd's* Deposition; wherein he accuseth the *Bishop* of having refused to comprehend the *Collations* of the *Two Living*s in one *Instrument*, for which his *Lordship* ought in my opinion to have been commended, instead of being censured. But there are some people of all Ranks and Orders, who are of the like *Morals* with the *Athenian*, who gave his *Vote* for the *Condemnation* of *Aristides*, because of his having the Character of being *Just*. And as I am not surpriz'd, at *Lloyd's* complaining, of the *Bishop's* denying to comprehend two *Living*s in one *Collation*, seeing he therein minded his own advantage, more than that of the Church; so I am the less astonish'd that some other Persons encourag'd the having his *Lordship* Judicially Accused for it; as being fully satisfied that the principle on which diverse acted against the said *Prelate*, was that of Malice and Revenge, rather than of Justice. And therefore that tho' he had been a *Seraphim*, he was to be Painted in the Colours of a *Belzebub*, whilst *Lucy*, *Meyrick*, *Griffith*, and several others who appear'd against him, were notwithstanding their resemblance to *Lucifer* thro' Lying and Hatred, to be drawn by our *Historiographer* as *Angels of Light*. And to speak with all the modesty imaginable, I cannot avoid saying, that the making the *Refusal* of that, to have been a *Crime* in the *Bishop*, which the *Law* of the Land, as well as the *Moral* obligations which he was under, by reason of his

Dignity

Dignity and Character, made an Indispensable Duty, does still give us a very odd *Idea* of the whole *Process* against his *Lordship*, and seemeth plainly to intimate, that previously even to his being Articled against, it had been agreed upon and resolved, *Si sit Innocens, fiat Nocens*. For whereas the Statute, which granteth the greatest Liberty of any, for the *Uniting of Churches*, permitteth, *That in Cities and Towns Corporate, where the settled Maintenance belonging to Parsons, Vicars, and Incumbents, shall not exceed the Summ of 100 l. per Annum, it shall be Lawful to do it*; nevertheless it is provided for in the same Act of Parliament, *That no Union of the Parishes, or Places, shall even Commence there, or be Effectual in Law, untill it be Register'd in the Register Book of the Bishop of the Diocess*. For as much therefore as the *Rectory and Vicarage*, to which the Bishop refused to give Lloyd a Collation in one Instrument, were neither in any City or Town Corporate, nor Register'd as *United in the Register Book of the Bishop of St. David's*, I may freely say, that instead of any Guilt or Offence, Chargeable upon his *Lordship* on that account, that both *they* who gave way to the Accusing him thereof as a Crime, as well as *he*, who in his *Summary View*, hath labour'd to Asperse and Defame him for it, were either grossly Ignorant of the Laws of the Realm, or avowed Contemnners and Despisers of them. Whereunto I am more especially oblig'd to add, that in reference to all other Churhes, Chappels, and Livings, it is particularly Enacted, *That as there shall be no Union or Consolidation of two Churches in one, or of a Church and Chap- pel in one, save where the Value of one of them, is not above the Yearly Value of 6 l. as Rated to the King in his Court of first Fruits and Tenths; so it is expressly Provided for and Ordain'd, that no such Union shall be admitted, except where the one is not distant from the other above a Mile*. But as it was neither the distance of the two Livings, the one from the other, nor the Annual worth of the Vicarage, as it was Rated in the King's Books by the Old Valution, which the Bishop was to consider; but what it was now really and intrinsically Worth, and might be Rated at by a New Valuation; so it would have been no less, than to have acted in direct Repugnancy to the Intention and meaning of the Law, how much soever it might to some People seem agreeable to the Letter of it, should his *Lordship*, in the Collating the said Vicarage

Vicarage and Rectory on William Lloyd, have Included them in one Instrument. For as *Ratio Legis est Lex*, the Reason of the Law, is the Rule and measure, by which to expound it; so after the great Improvement of the *Vicarage*, since the time of the first Valuation, it would neither in Wisdom or Justice have become the Bishop, to have Govern'd himself by and according to the Standard, that it was Registered at in the Reign of Hen. 8. when the Estimate of Lands, and of every thing else, was lower by a Moiety, than it is at present. And as the French King Justified himself in reference to the late Treaty of Partition, on his accepting the Will of the King of Spain, instead of adhering to the Partition, made and adjusted by that Treaty, by pleading the Spirit of it, against the Letter; so the Bishop of St. David's ought to have been held abundantly Vindicated from all Obnoxiousness, to Aspersions and Calumny, as to what he hath been Accused and Defamed for in the foregoing Allegation, in that he had conducted himself in the whole foremention'd affair, according to what he knew the *Vicarage* to be now really Worth, without regarding what it had been Anciently Valued at in the Kings Books. And he was bound the more carefully to avoid the Including the Collation to the *Vicarage and Rectory* in one Instrument, in that whereas the Presentations to them, when given to one Person, had for the most part at all times before, been kept distinct, and conferred by different Instruments; yet in Sir William Russell's bestowing them on Lloyd, they were United into one, so that Lloyd came and demanded Institution from the Bishop to both, by Vertue of a single Presentation. And as Lloyd alledgeth this, as the ground of his desiring to have had them Included in one Instrument, when the Bishop Collated him to them; so that alone was a sufficient reason for Justifying his Lordship's Refusing to do it. Seeing even after the Introduction, and the Indulgence in too many cases of Pluralities, it is nevertheless at all times, and every where carefully observed, that the Collations and Institutions to them, be always preserved separate and distinct, and that the presentations unto them, be granted in and by different Instruments. And should it be otherwise, the prejudice which would attend Pluralities, would be vastly and more mischievously greater, than now it is. For should all the Pluralities in England, for any successiveness of time, grow to be vested in those
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who possess them, by *single Instruments*; it would not be long before *Prescription* would be pleaded for the *Union* of so many respective *Living*s and *Benefices*, as are held in the way of several *Pluralities*. Whereby as the *Ecclesiastical preferments* of the Nation, would to the great discouragement of those Educated for the Sacred *Ministry*, become soon reduced to a fewer number; so the many other ill consequences, which would ensue thereupon, are too obvious to be here insisted on. And tho' if in any case whatsoever it be allowable for *one* man, to have more than a *single Living*, (especially when that as there are distinct *Cures*, so the *Duties* performable in them, are to be discharged by *one Person*, without the assistance of a *Curate*, as in reference to the foremention'd *Vicarage* and *Rectory* they were) it is when they are found not to be Scituated at any such extraordinary distance, but that *one* and the *same* person may be able to *Officiate* in them; yet even then, (and by so much the more, as that they lie near to one another) are the *Titles* to them to be preserved *Distinct*. Nor is it possible, that the Discretion and Prudence of the *Bishop's* Conduct, in refusing to *Collate Lloyd* to the aforesaid *two Benefices* by *one Instrument*, can be more fully justified by any thing whatsoever, than by what hath come to Light since, in *Lloyd's* own Deposition. For whereas he hath therein declared upon Oath, that he believed the said *two Living*s to be so *United*, that the *one* could not be Granted without the *other*, and that therefore the *Collation* to them *both*, ought to have been by *one* and the *same Instrument*; in that as he alledgeth, he had not only produced *one single Instrument* of Institution of *one William Thomas* (after-ward *Bishop* of *St. David's*) to the said *Vicarage* and *Rectory*; but that he had also both seen and produced *one single presentation* to both the said *Living*s (on the next avoidance after *William Thomas*) under the hand and Seal of *Sir Dennis Gawden*, wherein there were these words, viz. *ad Vicariam perpetuam de Llaugharn, nec non Rectoriam de Llanfadarnon perpetuam eidem annexam*; Now I say, was it not upon this, high time to give check to so dangerous an Innovation, from what had been the ancient and usual practice, of presenting, and of giving *Institution* separately and by different *Instruments*. And should this *Innovation*, have been connived at much longer, it would have afforded a pretence for *prescription*, that they had been *United* and *consolidated*. For as too many *Lay-Patrons*, care not how much they abridge

Ubi supra.

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the power of Bishops, and lessen their Legal accruments; so there want not those of the Inferior *Clergy*, who value not what encroachments are made upon the Rights of the Church, nor how much comes to be pared off from the *Fees* due to *Bishop's*, if they can but save a few *Shillings*, of what the Law hath made incumbent on them to pay, to their respective *Diocessans*. And as the giving an Interruption to that Usurpation, as well as Innovation, of presenting and Instituting to the aforesaid *Benefices* by one *Instrument*, was a most seasonable Act of the *Bishop* of *St. David's* on a previous supposition, that different *Instruments* had been customarily used in the giving those presentations and Institutions; so we may fully assure our selves of its having anciently and customarily been so; in that after the most diligent search that could be made for finding *Precedents* to support the complaint against the *Bishop*; all the *Instances* differing from the *Right* which his *Lordship* insisted on, and which varied from the method he took in *Collating* and *Instituting* *Lloyd* to those two *Living's*, are only one single Instance as to *Institution*, and another single one as to *Collation*. And forasmuch as neither *Lay-Patrons*, would have suffer'd those two *Benefices* to have been Divided, in case they had ever been legally united and consolidated into one; nor would such *Ecclesiasticks*, as had been presented to them, have tamely submitted to the taking two *Institutions*, when they were by Law to have been *Inducted* to them by One; I shall therefore in order to the putting this matter beyond question and dispute for the future, give three *Instances*, out of many which might be assigned, by which it will undeniably appear, that both the *Presentation*, and the *Institution*, into the said *Vicarage* and *Rectory*, were anciently given in and by distinct and different *Instruments*. Whereof the First shall be an *Institution* to the *Rectory* of *Llansfardern* bearing date the Third of June 1566, when the then *Bishop* Instituted one *Thomas Adams* to the said *Rectory*, (it being vacant thro' the death and Demise of one *Thomas Crane*, who had been formerly *Rector* and *Incumbent*) which said *Adams* stood presented to it by one *Sir John Perot* patron of the said *Rectory*. Whereunto the next Instance, I will subjoyn, shall be likewise that of an *Institution* (but to the *Vicarage* of *Llangarn*) which *Institution* beareth date the 21th of April 1569, and is of one *John Evans* to the said *Vicarage*, (without any *Induction* to the forementioned *Rectory*) which *Evans* was presented to it by the same

Sir John

Sir John Perot, whom I now named. The 3^d. and last Instance with which I shall at this time trouble the Reader, shall be that of an Institution granted April 20. 1574. to one William Owen to the Rectory of Llanfardernon, (being then Vacant by and upon the death of the aforesaid Thomas Adams) which Owen was presented to it by the already named Sir John Perot. So that having assigned three Instances in proof that the Rectory of Llanfardernon, and the Vicarage of Llangharn, had been anciently always accounted Distinct, Divided and Separate Benefices, and had accordingly been Presented and Instituted to, by different Instruments; I may now take the Liberty to say, that as the two Instances brought by Lloyd to the contrary, do only shew the Innovation that had been lately made, and how necessary it was become, to give a rebuke, and Check thereunto; so the Bishop of St. David's doing it thus seasonably, as he did, before this modern Usurpation, should grow into a kind of Prescription, was a very wise and just Act, and which deserved praise and Commendation instead of Reproach. And seeing where the Law, of the Land hath not superceded, and discharged the Canon Law, it is the best Rule and Standard, we can have recourse unto, for the Guidance of our Judgments in and about Ecclesiastical Affairs; I shall therefore give a brief account account of what is appointed and declared, there, in reference to the Union of Churches and Benefices. And this I shall the rather do, in that (in my Opinion) all deliver'd there on that Head, is not only very agreeable to the Principles of Reason and Religion, but also extreamly Consonant to the Laws of England, so far as that matter hath fallen under Parliamentary Cognition. Namely, that as no Two or more Institut. Livings, shall be United in One, save either upon Cause of Necessity, as when the Annul Profits of them Seperate and Divided, are so small, that several Incumbents can not Subsist on them; or because the Benefit and Advantage of the Church may require it, as may at some times fall out, by a total Extirpation in one of them of those professing Christianity, or by their Reduction to such a Paucity, as that they cannot make a Congregation, nor Constitute an Assembly for Worship; so all Unions of that kind, are declared Null and Void, where the Consent of the Bishop of the Diocess, and in some Cases of the Metropolitan, hath not been previously obtained. And if any Patron, or others, shall take upon them to Unite Churches, it shall be in the Power of the Bishop to Control and Dissolve that Union. Yea even in

Case that a *Precedent Bishop*, hath concurred with a *Patron* to the *Uniting two Churches into one*, yet a *Subsequent Bishop* shall have a *Right of Dissolving that Union*, if he see cause for the doing it. But to go on to a *3d. Answer*, which shall likewise be to that part of *Lloyd's Deposition*, wherein the *Bishop* is accused *Ubi supra.* of having *Refused to Include the Collations, to the aforesaid Vicarage, and Rectory in one Instrument.* Which shall by this, *viz.* That his *Lordship* having heard of an *Addition of 80 l. per An.* to the *Vicarage*, it would not only have been against all the *Rules and Measures of prudence*, but a direct violation of the *Law of the Land*, to have made so considerable a *Vicarage*, as that is become, (and especially in *Wales*, where *Incumbents* may live upon less, than they can do in most parts of the Kingdom) an *appendage* unto, and a *dependent* on the *Rectory*. In that it is expressly ordain'd in the *Statute*, which we have lately menti-

27. Hen.
8. cap. 21. on'd, that no *Union of Livings* shall be *admitted*, save where the maintenance arising from them is mean and little. Which is otherwise here, in that the *Impropriation* being settled upon and belonging to the *Dean and Chapter of Winchester*, and being held by *Lease* from them, they (as not only the *Bishop of St. David's*, but many others also have heard) have *Granted 80 l. per An.* as an *Augmentation* to the *Vicarage*, Whereby as it is become too valuable a *preferment*, to be made an *Appendage* to the *Rectory*; so the *Bishop* did nothing, save what was wise, just and Legal, in his *Refusing to Include them in one Instrument of Collation*. And had he done otherwise, than he did, he would have thereby administred ground for a pretence of saying they were *United and Consolidated*. Which as heretofore they never were; so it is now become less fit than it formerly was, that they should ever be *United* hereafter, because of the *Augmentation*, that I have been Speaking of. So that after my having given the foregoing *Answers*, and withall justified their being both *Pertinent and Solid*; I shall now proceed to the *4th. Reply*, which I have to make to the foregoing *Allegation*. Namely that admitting what *Lloyd Swearth* concerning the *Fees*, which he paid for *Collations and Institutions &c.* To be true, yet the *Bishop of St. David's*, was far from being *Guilty of strange Extortion*, thro' his *Demanding and Receiving* them. Nor need we have recourse to any thing else, for his *Lordship's* *Justification* in that matter, than to *Lloyd's own* *Ubi supra.* *Deposition*, and to the account he therein giveth us, of the *Re-*

Respective Fees required of him, as (he says) he wrote them down from the Bishops own Mouth. Whereof the several particulars, are as they do here follow. viz. For two Collations 11 l. 12 s. Two Subscriptions 10 s. Two Sequestrations, and two Relaxations 53 s. 4 d. A License 13 s. 4 d. An Instrument of Union 13 s. 4 d. in all 16 l. 2 s. In the whole and in every particular of which, as the Bishop exacted no more, save what he Legally might; and what by ancient Usage was payable on those accounts in the Bishoprick of St. David's; so I ought not to omit observing how his Lordship abated unto, and forgave him part of of his Collation Fees. In that whereas, by and according to the Custome of the Diocese, they were to have been 12 l. 2 s. his Lordship only required and received, by Lloyd's own Confession, the Summ of 11 l. 12 s. So that if the Bishop was therein Guilty of any Crime, it was not because of his having exacted more than he ought, Legally to have Claim'd and Received, but for his having Remitted of what he might have Justly demanded and taken. But whereas he may seem involved under some Umbrage of offence, by reason of the 13 s. 4 d. which he made Lloyd pay for the Instrument of Union, granted to him, for the Holding the aforesaid Vicarage and Rectory; I shall therefore gly and in the last Place, give a particular and distinct Answer to that. Namely, that it was so far from being a Fault, that it was an Act of great kindness in his Lordship, first to advice Lloyd to it, and then to give it him. And the reason, by which it would not only have stood justified, but have been accounted Compassionate and Friendly, would have appeared obvious to any one, save to the Ignorant, or to the Prepossessed and Prejudiced, is this. In that it is expressly appointed by the Statute, that the first Benefice of 8 l. per Annum, is Immediately to be Void, on an Institution, or Induction into a Latter. And as both Lloyd and the Writer of the View, do appear to have been sensible thereof, Thro' their assigning that as the Ground of Lloyd's having moved that the Collation to the two Livings, might have been comprehended in one Instrument; so they have thereby fully Justified the Bishop, in his Refusing it; in that it was a thing, which the Law had made impracticable. Seeing that as the Statute, which makes one Benefice void, on an Institution or Induction to a Latter, is only when, and in Case of the Firsts being worth 8 l. per Annum.; so it as positively Enacted in an other Statute,

21. Hen.
8. cap. 13.

The Pro-
mot. 33.
Winn. ad
Interrog.
13, 14, 15.
Summary
View,

21. Hen.
8. c. 13.

37. Hen.
8. cap. 21.

that there shall be no Union, or Consolidation of two Churches in One, or of a Church, and Chappel in one; save where the Yearly Value of one of them, is not above 6 l. By which as the Bishop's denying to Include the Collations, to those two Livings in one Instrument, is by the very Confession and acknowledgment of Lloyd, and also of the Writer of the View, admitted to have been just, and the Refusal pthereof to have been Consonant to Law; in that there neither was, nor could be any pretence, for *Moving to have them Comprehended in one Instrument*, In a Case, where the doing it was positively and expressly *Forbid by Law*; so I may be allowed without giving Offence, to say, that the *Metropolitan's* suffering the Bishop of St. David's to be Accused of, and Articled against for that, did shew his Grace to be either very Ignorant of the Laws of the Realm, or to have greatly despised them, as well as to have forgotten, and departed from the Rules and Measures of Justice. Finally the *Fees* paid to the Bishop for the Instrument of Union, having by Lloyd's own Confession, been only 13s. 4d. that can neither in Justice, nor Equity, be cally a *strange Extortion* (whatsoever the Author of the View, may have thought fit to stile it) in that as it was what had been Anciently and Customarily paid in the *Diocess* of St. David's, for every Instrument of that Kind; so it was much Less, that what useth to be Paid in Other Bishopricks, and particularly in that of *Normich*, where 3. 4. or 5 l. are demanded and taken, for every such Instrument. So that having now finished the whole, I had to say, in Vindication of the Bishop from the Aspersions and Defamation, fastened on him by the Writer of the View, from the *Deposition* of Lloyd, I begin to be asham'd of having been so Prolix, in the Examination and Answering, of what that Author, hath from thence, and there-upon alledged towards the Smutting and Exposing of his Lordship, and I have only this whereby to justify my self to the Reader, that as how Triffling and Impertinent soever his *Reflections* on the Bishop were, yet that thro being pretended to be made in reference to Offences, bearing the name of *Strange Extortions*, in matters Incident to Collations, as they were not to have been suffer'd to escape the *Animadversions*, which I have made upon them; so I have (as occasion hath been adminster'd) Endeavour'd to interpose such Remarks in reference to several things, wherein the State, as well as the Church, are concern'd; as may at least in some Measure, excuse the ha-

ving

ving drawn things to the Lenth I have done. And I may upon the whole presume to say, that admitting all that was *Deposed* against the *Bishop* of *St. David's* in Relation to *Collations*, to have been not only *True* (which we have shew'n no one thing was) But to have been also as *Heinous Offences*, as *Malice* and *Indignation* could stile them, (whereas we have made them appear, to have been rather *Acts of Wisdom* and *Justice*, and frequently of *Friendship* and *Mercy*) yet the *Metropolitan* in the *Punishment*, which he inflicted, was not only *Gravior remediis, quam delicta erant*; but he did that which bore Tacit. Annal. Lib. 3. a Resemblance to the cruelty of *Knocking* one in the *Head*, under the pretence of *killing* a *Fly* on his *Face*. And the *Depri- Lib. 3.* ving of the *Bishop* of *St. David's* upon so *Trivial Allegations*, would make an *unbias'd* man suspect, that tho', those *Offences*, were assigned as the *Cause* of it, yet that the true reason thereof, was his so often *Dissenting* from, and *Opposing* of his *Grace*, and of some others (who are called Vai. Max. Lib. 9. c. 2. *Spiritual Lords*) in the *House* of *Peers*. And therefore, that as the *Athenians*, served the *Aegeans* (who were their *Chief Ri-vals* at *Sea*) in *Cutting off the Thumbs, and Fingers*, of their *Youth*, that they might neither be in a condition to manage *Oars*, nor to *Weild Weapons*; so it was resolved, to have the *Bishop* of *St. David's* *Deposed* from his *Episcopal Dignity*, and consequently degraded from, his *Baronage*, that so he might thereby be disabled from, and rendred incapable, of *Contradicting* them in *Parliamentary debates*, and of *dissenting* from them in, and by his *Vote*.

But to proceed to the next thing, wherein I am to Encounter the *Author* of the *View*, which is his having *Misrepresented*, and *Calumniated* the *Bishop*, for the *having Oppressed his Summary View, P. 24.* *Clergy*, in *demanding*, and *taking from them*, *Excessive Procurations*. Whereof, as he pretendeth to give *Three Instances*, so I shall carefully examine every one of them, and do hope to give those *Answers* to them, as shall make him *Ridiculous* to others, tho he hath a *Priviledge* Communicated to him, by *One* who, was an *Assessor* to the *Metropolitan* in the *Process* against the *Bishop* of *St. David's*, that he cannot *Blush*. Nor am I now to be surpriz'd either at the *insincerity*, or at the *Insolency* of this *Writer*, when I consider that he is not only the *Disciple*, but the *Partizan* of an *Ecclesiastick*, who would have *Debauched* the *Daughter* of a person where he had an *Interest* and *Authority*,

thority, and turn'd her *Father* out of his Place and Employ, because the *Daughter* had Chastity and Virtue to abhor his Sollicitations. And who afterwards upon the Young Woman's upbraiding him, and Threatning to Divulge the way's and method's, he had used for Corrupting her, did not only both get the Father to be Restored to his place, and reimbursed him whatsoever he had lost, during the time of his dispossession, but moreover Plentifully Rewarded him. Which as it makes some to Fear, there was too much Truth, in what a certain *Peer* said to a Gentleman, *viz.* that if it were not for the *Bishops*, [they of the *Temporal Bench* should be able to save the Church of England; so a great many are ready to say, that were it not for the Vices of diverse of the *Spiritual Orders*, we should have less difficulty in preserving the Christian Religion, than we are like to have. But in order to to the opening my way to the Examination of the *Three Instances*, given by this *Writer*, of the *Bishop's* oppressing his Clergy in demanding and taking from them Excessive *Procurations*; I cannot omit observing, how Maliciously he introduceth and ushereth them in, by a *Deposition* of one *William Jones*, which he both Fraudulently Reports, and hath most injuriously wrested and perverted into a pretended Proof of that which by no *Logick* whatsoever can be inferred from it. And that his *Infidelity* as an *Historian*, and his *Sophistry* as a *Logician*, may the more Fully and Evidently appear, I shall here transcribe it, in the very words in which he hath delivered it, without the adding to, the Detracting from, or the altering of them. Namely, that Mr. *William Jones* Swears, that at the *Bishops Triennial Visitation* in 1691, he Collected a great many *Procurations* by a Book, which he Transcribed from one, which the *Bishop* delivered to him, the said *Jones* for that purpose; and that there were several Alterations of Figures or Summs in that Book, which the *Bishop* so Delivered to *Jones*; and that upon the said *Jones* demanding the *Procurations*, according to the Transcribed Book, the Clergy complained they were higher and greater, than they were before. Upon which before I come to make the *Reflections*, designed for the exposing of this *Author*; I may hope be allow'd to say something, that will extreamly take off from the Credit of the *Witness*. Namely that this *William Jones*, had not only been the *Bishop's* Servant, and who having been Discharged by his Lordship, may very well be supposed to have Entertained those Angry and Revengeful resentments (as indeed by the whole

Summary
View,
p. 24.

Tenor of his Deposition it appeareth he had) that his *Testimony*
in whatsoever he said or Swore against his Lordship, should
have been held of little validity; but that he being also a per-
son, who hath Sworn contradictorily in a certain case to one and
the same thing, he ought thereupon to be no otherwise account-
ed of than as a perjur'd wretch, to whom no Faith should be
given in any thing he Sweareth. For whereas in his Answer to
the Third Article, he hath Deposed upon Oath to the Execution *The Pro-*
of a certain Bond about June or July 1691 for the payment of 100 l. *mor. 4.*
by Mr. John Medly to the Bishop; he the same Jones, at a Trial *Wim. ad*
at Carmarthen Assize 1695 did Judicially and in Court Swear, *Artic. 3.*
that the said Bond had been Sealed and Executed on the 5th of Bp's. Alle- *See the*
August in the year 1691. Nor might it be amiss farther to ob- *gations,*
serve, that how much prejudiced soever this Jones appears to *10. Nov.*
have been against the Bishop, yet that among the several things *1697.*
which he swore unto, in hopes to Blacken and defame him,
he found himself nevertheless obliged to acknowledge upon
Oath, that during his Living with him, the said Bishop lived so- *Ubi supra,*
berly, and that the prayers of the Church, were constantly used in his *ad Artic.*
Family. But to wave saying any more in reference to Jones, *36.*
I save that the Book of Procurations, which he declares he had re-
ceived from the Bishop, was a Copy of that, which the Promoter
gave the Bishop at his primary Visitation; I shall now apply
my self to the Reflections, which I am to make upon the Au-
thor of the Viem, both with respect to his Infidelity in Report-
ing Jones's Deposition, and likewise with reference to his having
as a Sophistical and Collusive Reasoner, wrested it into a pretend-
ed proof of that, which it doth not in the least include or im-
port. And the First Reflection I will make, shall be, that this
Author having mention'd Jones's having Deposed, that there were
several Alterations of Figures or Sums in that Book, which the
Bishop deliver'd to him, he hath most treacherously omitted the
inserting, how Jones at the same time, and in the same Article,
hath positively Sworn, That he could not tell, whether the Altera-
tions, were greater, or lesser. By which he hath given us another *Ubi supra,*
Evidence, of his being a writer, who will sacrifice his Conscience *ad Artic.*
and honesty, to his Pique and Revenge. For his Malice *24.*
carrying him to do all he could, that he might get the Reader
to believe, that the reason of the Bishop's having made some
Alterations in the Figures and Sums, was, that he might demand
and take higher Procurations, than had been formerly Paid by
the

Ubi Supra
ad Artic.
24.

the Clergy, his Relating those words of Jones, which I have now mention'd, would have obviated his being successful in that design. Which rather than to miscarry in, he would chuse to be faithless and dishonest. Nor is that single omission, the only evidence we have of that *Writer's Insincerity*, in his Reporting *Jones's Deposition*, but he hath also afforded us an *other Proof* of his *Infidelity* therein, and in reference thereunto, I will make my *Second Reflection* upon him. Namely, that whereas the whole that *Jones Swears* unto, is only that *there were several of the Clergy, who complain'd that the Procurations were greater and higher, than they used to be*. This Author by his leaving out the word *several*, and using only the Term *Clergy*, and by Exchanging the Expression, that *several of the Clergy, Complained, into that That of the Clergy Complain'd*; he hath both insincerely Reported *Jones's Deposition*, and fraudulently impos'd on the Reader, thro' endeavouring to make him believe the Complaint was *Universal*, when it was not so, which tho' it may seem to some, to be but a slight and a very venial Omission; yet it was not only in its self too reproachful a neglect, for one who desir'd to be esteem'd a faithful *Writer*, to have been guilty of, but will appear to have been a very heinous Crime, if we consider his design, which could be no other, than as I have said the misleading the Readers of his Book into an opinion, that all the Clergy of the *Diocese*, had made such a Complaint, when by and according to the *Deposition* of the *Witness*, there were only *some* that had done it. But then further, forasmuch as this *Writer*, hath thro' Talents of malice and Sophistry peculiar to himself, thought fit to add, *That if Jones's had not Sworn this, the Reader would not as he presumeth, have suspected, that the Figures were Altered to make them less*; I will in reference thereunto, make yet a *Third Reflection* upon him; which shall be that he is not only so faithless a *Writer*, and one of that unexemplified impudence, as to affirm *Jones to have Sworn* that, which he never Swore, but instead of his having Sworn that the *Figures* were altered, to make them Greater, he hath (as I have already observed) expressly Deposed upon Oath, *That he could not tell, whether the Figures, by the said Alterations, were made Greater or Lesser*; but he hath also with all the Sophistry Trick and Legerdemain imaginable, made it his endeavour to wrest and pervert the Words, in which *Jones Deposed*,
and

and unto which *he Swore*, to a *Sense* and *meaning*, which they do no ways *Import*, and much less are we obliged to receive. In that seeing there might be *other reasons*, for making those *Alterations* in the *Figures*, besides that of *Raising the Procurations*; it was therefore the acting the part of a *Sophister*, and of a fraudulent man, to study to infer from thence that the *Bishop's* motive unto, and his *End* in the making the said *Alterations*, was to *Raise the Procurations higher*, than they used to be. And the reason for the *Bishop's* doing it, lay so obvious, that no men of Common Sense, could have missed the discerning it; save they, whose Understandings, were strangely darkned by malice and revenge. Namely that the aforesaid *Book*, being a *Copy* of that which the *Promoter* gave the *Bishop* at his *Primary Visitation*, for his Instruction and Guidance in the *Procurations*, which he was then to demand and receive; and that the *Procurations* which were to be paid at the *Triennial Visitation*, were only to be half so much, as were payable at the *primary*, it was thereupon a piece of very prudent conduct in his *Lordship*, to have an *Alteration made* in the *Figures*. And every honest and unprejudiced man, will reckon himself bound to believe, that it was done for the preventing the demanding and taking more than was due; and not to lay a foundation for, nor to palliate and cover the claiming and receiving above what had been formerly paid. And had not this *Author* renounced all Justice, as well as Charity, towards the *Bishop*, and instead thereof become possessed with malice and revenge against him, as the Reason, I have assigned, could not have escap'd his *Judgment* and *Understanding*; so he would not after his having discover'd it, have dared to become so Criminal in his *Will*, as to have asserted, that the contrary thereunto, was the reason for the *Bishop's* doing it. Nor will I say more against the *Author* of the *View* either in relation to the *Report* he hath given of *Jones's Deposition*, or in reference to the false *application*, the collusive *use* and the distorted *Inference*, he hath endeavour'd to make of, and to draw from it; save that as he has in the former departed from all the *Rules* prescribed for an *Historian* to observe, so he hath in the *Latter* offer'd violence to all the *Precepts* both of *Logic*, and of *Ethicks*. And if the *Metropolitan* put those *Glosses* upon, and made those *Deductions* from the *Depositions* against

the *Bishop*, when he took upon him to sit *Judicially* on his Cause, that this *Advocate*, in the quality of a *Writer* of *mat- ters of Fact*, hath undeniably done, we are no more to be surpriz'd at the *Sentence* pronounced by his *Grace*, than at the *Blackning Representation* given of that *Prelate* by the *Author* of the *View*. And whosoever, shall after the having considered what hath been said, allow himself to entertain such an ill opinion of the *Bishop* of *St. David's*, as the proceedings at *Lameth*, and the *Discourse* stiled the *Summary View* &c. were design'd to give them; I may take the *Liberty* to say of such, that it ariseth from their being within the circle of the *Proverb*, *That God doth Blind them, who will not open their Eyes*. Whereunto the whole I will further add upon this occasion, is, That first the *Inviting* such an empty, impertinent, faithless and Sophistical man, to be the *Writer* of those *Metropolitcal* transactions, and then the getting him both dignified and Rewarded for it, sheweth that some people, are grown as weak in their *Mind's*, as they are aged by reason of their years; or that they have the misfortune of those, whom *Seneca* speaks of, namely, that tho' they be not come to their *Dotage* and to be twice *Children*, yet that they are attended with a greater inconvenience, viz. That in all the Stages and degrees (with respect at least to the knowledge of men, and their understanding of political affairs and juridical matters) *puerilitas remanet*, They are always and still *Boys*. Or if their having been guilty of this misadventure, of chusing such an improper and unqualified man both as to his *Intellectuals* and *Morals*, to defend and justify their *Juridical* Actings, be not owing to what I have said, I must then fall in with the general sentiment of the *Town*, that there are certain men in the *World*, who are wholly Influenced and Ruled by such, as do aim at the exposing, as well as misleading them. And that they do labour under the unhappiness, which he did, of whom the *Poet* says, that he was guided by others,

Horat.

— ut nervis alienis, mobile Lignum.

Tacit.
Annal.

Lib. 12.

As a *Logg* of *Wood*, is drawn hither and thither by *Ropes* and *Cords*, and therefore as the *Historian* hath it, *cui non amor, non odium, sed indita et jussa*; They do all things only as they are advised, and not upon motives either of *Love* or *Hated*, nor from *Principles* either of *Justice*, or of good *Sense*. But

But having said enough for Vindicating the *Bishop*, from all the Aspersions and Calumnies, fastned upon him by the *Author* of the *View*, from and by reason of the *Deposition* of *Jones*, which he put in the front of, and made an Introduction to what he was to Accuse his *Lordship* of in the matter of *Procurations*; I may now safely proceed to a Survey and an Examination of the *Three Instances*, which he hath Alledged and Produced in Proof of the *Bishop's* having Oppressed his *Clergy*, by demanding and taking from them excessive *Procurations*. Whereof the *First* is, That *John Barnet* Swears, that *Mr. Jones* at the *Summary Visitation* in 1691, demanding of him 11 s. for his *Procurations* of *View*, his *Vicarage* of the *Hay*, and how he the said *Barnet* being inform'd P. 25, 26. that no more than 5 s. 6 d. were due for that *Vicarage*, went to the *Bishop* himself and reason'd the thing with him, upon which the *Bishop* told him, that 5 s. 6 d. were his single *Procurations*, but he must Pay 11 s. for double *Procurations*, because, tho' this was his *Triennial Visitation* in respect of other *Clergy-men*, yet it was his primary *Visitation* in respect of *Barnet* as *Vicar* of the *Hay*; to which *Barnet* answer'd, that he had Paid *Procurations* at the *Primary Visitation* for his *Living* of *Clyrow*; and therefore hop'd to be excus'd from Paying double *Procurations* then, but the *Bishop* would not excuse him. In my giving *Answers* whereunto, as I have several things to say, whereby the *Bishop* will be fully Vindicated from the Crime here Charg'd upon him, of having Oppressed *John Barnet*, in taking from him Excessive *Procurations*; so two of them will serve as Replies to all the *Depositions* concerning Excessive *Procurations*. And therefore in the *First* place to begin with that, which particularly affects *Barnet*, and that is, the reminding such as shall take a view of these *Papers*, of what we have already declar'd for disabling him, from being accounted a *Credible Witness* in any thing whatsoever, which he either Says or Swears. In that thro' his having Deposed upon Oath, That he had Paid 9 l. 2 s. over or under to *Mr. Slingsby* the *Bishop's* *Secretary*, for his *Collation Fees* to the *Vicarage* of *Clyrow*, he hath therein Perjur'd himself, forasmuch as is positively Sworn by *Mr. Slingsby* before a *Master of Chancery*, See before that as the whole which the said *Slingsby* receiv'd of him, was under the only 8 l. 1 s. so that the said 8 l. 1 s. was not demanded, nor taken as the meer and single Fees of his *Collation*, but as the Fees Head of Fees for Collations. likewise for *Subscription*, *Sequestration*, *Relaxation*, and a *Licence* to Preach, all which should have amounted to more

than was either required or received of *Barnet*. Secondly, That which I am further to Reply in the next place, is, that whereas the *Bishop* might have either upon *Misinformation*, or thro' a *Mistake* of the *Sense* and *Meaning* of the 137. *Canon*, have demanded and taken at his *Triennial Visitation*, larger *Procurations*, than he should (for there are no Complaints against him, for and because of the *Procurations* he receiv'd at his *primary Visitation*) yet his having not only offer'd to *Repay* whatsoever had been taken above what was Legally due, and had been Paid formerly to his Predecessors, but his having also actually done it, (as hath been shew'd in diverse Instances before) was enough to have Vindicated him from having willfully Offended, (and would have done so before any Unprejudic'd and Impartial Court) and have rendred any supposed excesses of that kind he had been Accused of, to have been accounted Faults occasion'd by Mistake or Inadvertence, and not the effects of choice and design. And upon a perusal of the 137. *Canon*, I do not see, but that the *Bishop* at any *Triennial Visitation*, had a Right to demand full *Procurations* of every one admitted to a new *Living*, notwithstanding that the same Person had at a *Primary* or at a former *Visitation*, Paid full *Procurations* for some other *Living*, of which he was then possessed. At least, I am sure the words of the *Canon* are so Ambiguous, and that matter so darkly and doubtfully therein expressed, that any other *Bishop*, as well as he of *St. David's*, might have put such a construction upon it, without being thought influenc'd to the doing it by Covetousness and Inordinate Love of Money. And that what I have here suggested, may appear in the clearer Light, I shall transcribe the very words of the *Canon*. Namely, *Cum non minima sit Visitationis causa & effectus, &c.* Forasmuch as a chief and principal cause and use of a *Visitation*, is, that the *Bishop*, *Arch-Deacon*, or others Assigned to *Visit*, may get some good knowledge of the *State*, *Sufficiency*, and *Ability* of the *Clergy*, and other Persons whom they are to *Visit*: We think it convenient, that every *Parson*, *Vicar*, *Curate*, *Schoolmaster*, or other Person Licensed whosoever, do at the *Bishop's* first *Visitation*, or at the next *Visitation* after his Admission, shew and exhibite unto him his *Letters of Orders*, *Institution* and *Induction*; and all other his *Dispensations*, *Licenses* or *Faculties*, to be by the said *Bishop* either allowed, or (if there be just cause) disallowed and rejected; and being by him approved,

Constitut.
Canon.
Ecclesiast.
1603.

to be, as the custom is, signed by the Register; and that the whole Fees accustomed to be paid in the Visitations in respect of the Premises be Paid only once in the whole time of every Bishop, and afterwards, but half of the said accustomed Fees, in every other Visitation during the said Bishop's Continuance. Nor do I now doubt, but that every unbiass'd and impartial Reader, will after his having carefully consider'd the aforesaid Canon, be so far of my mind, as to think it very capable of having that Sense and Interpretation put upon it, which the Bishop did. Seeing tho' it be said, That full procurations shall be paid only once in the whole time of every Bishop, yet it being therein also provided, that if the said procurations have not been paid at the Bishop's first Visitation, they shall be paid at the next Visitation after the Parson's Curate's, or Vicar's Admission; it is thereby undeniably left very doubtful, whether the paying full procurations but once, doth refer to him who payeth them, or to the Living or Benefice for which they are paid. And that the words ought to be constru'd rather with respect to the Preferment, than to the Incumbent, doth seem most probable, if not altogether evident, in that they are to be paid, on the Parson's, Curate's, or Vicar's &c. shewing and exhibiting his Letters of Orders, or of Institution and Induction, at the next visitation after his admission, and the getting them signed by the Register. Whereof as neither can be done previously to ones being Collated and Instituted to a place, so a very wise and good Man may therefore very reasonably from thence conclude, that admitting a person, on the shewing his Letters of Orders, and of Institution and Induction to one Living, hath paid once full procurations; yet that nevertheless on his being preferred afterwards to another, and upon his Exhibiting his Letters of Institution and Induction thereunto, he is again to pay also full procurations. And the Bishop of St. David's not only acted with that fairness and candor in the said matter, as to produce and read the foremention'd Canon to his Clergy, upon which he grounded his demanding full procurations at his Triennial Visitation, from those who since his primary Visitation, had come into new Livings, tho' such procurations had been paid by the same persons before in respect of other Livings, but likewise antecedently to his Lordship's taking them, he had the consent and approbation of the wisest, as well as of the most of his Clergy, that he had a Right given him by the said Canon for his requiring and receiving them. But then Thirdly I have still this farther to Reply,

ply, which is not only an Answer to *Barnet's* Deposition, but to the two following; viz. That it ought to be accounted an undeniable Evidence, that his *Lordship* was far from designing to oppress his *Clergy* in demanding and taking from them excessive *Procurations*; in that notwithstanding it appeareth by his *Book*, of *Procurations*, that there is above 50 *l.* owing to him for those *Fees*; yet he hath never Sued any person or persons, nor hath ever Cited them into any *Court* for the payment of them. So that we may assure our selves, that he who could so tamely digest, and even dispence with, the being defrauded of what was legally due to him, would never be an oppressor of any, by taking from them, what he had no Right to claim. It being as impossible that the compassionate and merciful, should be cruel and unjust, as it is to reconcile contradictions, and to unite things that are inconsistent one with another. And tho' it hath been charg'd upon the *Bishop*, that he had in those ways rak'd together vast Sums of unjust Gain; yet upon the best inquiry I have been able to make into his whole behaviour and conduct in these and the like affairs, I think I may truly affirm, that he is become so rich, as he is said to be, *non tam multa capiendo, quam haud multa perdendo*, not thro' his having been rapacious and oppressive in the way of getting, but thro' his having been temperate and frugal in his way of spending, as was also intimated before. Fourthly, I have this further to Answer to *Barnet's* Deposition in particular namely, that as the whole which he alledgeth he paid at the *Triennial Visitation*, was only 11 *s.* so it is to be observed, that admitting he had paid so much, yet it was not (as he Sweareth) for *Procurations Fees* singly and alone, but it was likewise for the *Fees* of *Exhibition*. Which as the very *Canon* makes to be Due at all *Visitations*, so they are more especially and undeniably due, when *Letters* of *Institution* and *Induction* to a new *Living* were to be Exhibited, and thereupon to be signed by the *Register*, as at the said *Visitation*, it was necessary they should, in respect of *Barnet's* *Vicarage* of *Hay*, to which he had been *Collated*, *Instituted* and *Inducted* since the *primary Visitation*. But Fifthly and Lastly, I have this moreover still to add in way of Answer to the foregoing Deposition, viz. that *Barnet* had remained so much indebted to the *Bishop* since the *Primary Visitation*, when he was to have paid full *procurations* for his *Living* of *Clyrow*, as made the *Sum* at the *Triennial* (even upon the supposition, that he

he was on no score whatsoever, to pay above half *Procurations* then) amount to the 11 s. which he says, was demanded and received of him. Nor is it so unusual for *Welsh Parsons* and *Vicars* to be in arrear to their *Diocesan* that any man of Sense will be surpriz'd at *Barnet's* having been so far Indebted to the *Bishop* for former *Fees*, as should make the *Summ* required from him at the *Triennial Visitation*, arise to 11 s. tho only half *Procurations* had been then demanded of him. And we may be sure, the *Bishop* of *St. David's*, would not have 50 l. still owing to him for *Procurations*, if he had not been so merciful, as to give his *Clergy* credit, for their paying him when they could best do it with their conveniency. So that having not only abundantly vindicated the *Bishop* from the Calumny of oppressing his *Clergy* in demanding and taking from them excessive *procurations*, which the *Answer* of the *View* hath endeavour'd to fasten upon him from and by reason of *Barnet's* Deposition; but having also justified his *Lordship* in a great measure, from whatsoever can be thought to affect him, by the two other *Depositions* which the said *Writer* hath produced, I shall now proceed to the examining them, seperately from and successively to one another, as having something to say particularly (tho it shall be but very little) by way of *Answer* to each of them.

And to take them in the order which the said *Author* hath thought fit to give them, I shall begin with that of *Mr. Jeremiah Griffith*, who Deposeth that at the *Bishop's Triennial Summary Visitation* in 1691, double *Procurations* being demanded of him, ^{View,} as being newly made *Vicar* and *Prebend* of *Lanfanfraid*, he went ^{P. 26.} and spoke to the *Bishop* about it, who told him that all who were admitted since his primary *Visitation* ought to Pay, and did Pay double *Procurations*; and that *Griffith* thereupon allowed upon ac- ^{The Pro-} count with the *Bishop* double *Procurations*, both for the *Vicarage* ^{mot. 8.} and *Prebend*, viz. 15 s. for the *Vicarage*, and 9 s. for the *Pre-* ^{Winn. ad} *bend*; the single *Procurations* for this being but 4 s. 6 d. and of ^{Artic. 24.} that but 7 s. 6 d. and that he the said *Griffith* receiv'd an *Acquittance* for the same by the *Bishop's* Order. Now in my giving *Answers* hereunto, I do in the *First* place beseech the *Reader*, to remember what hath been formerly said, for the rendring *Griffith* an Incompetent *Witness*, in any thing he should Depose against the *Bishop* of *St. David's*. And in the *Second* place I do also crave of him, that he would vouchsafe to observe, what

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we have lately delivered in reference to 137 Canon, upon which the Bishop Grounded his demanding double Procurations, from such as had been admitted to new Benefices, since his primary Visitation. But then Thirdly, I have further to add, as a full and direct Answer, to what Griffith hath Deposed, that tho' the Bishop had a right of requiring at the Triennial Visitation, double procurations from him, both for the Vicarage and prebend of Lansansfreed, and might accordingly speak the words, and use the expression, which Griffith deposed; yet that in reality, he the said Griffith neither paid double procurations, as he was become Vicar, nor as he was become Prebendary, seeing tho it should be allowed, that he paid 9 s. for the Prebend, when the single procurations were but 4 s. 6 d. yet it is to be observed, that there had been 4 s. 6 d. in arrear for the said Prebend since the primary Visitation; which as the Bishop might lawfully demand of him who succeeded to it, so Griffith had no injustice done him, in his being made to pay it. Nor would any one have complained of, or have grudged at that onus or burden, which accompanied and attended such a beneficium. And then whereas the said Griffith hath deposed, that he paid 15 s. as procuration Fees for the Vicarage, I do say, that he therein swore falsely, in that a part of the 15 s. was for Fees of a Resignation, which he was owing to the Bishop. So that instead of his Lordship's being proved guilty of Extortion by any thing in that Deposition, we have only further evidence given us, as well of the malice of the Writer of the View, as of the Witness. And whosoever inquireth narrowly into this, as well as into other branches of the Juridical procedures against the Bishop, will be still further convinced, that some people thought it no part of their duty, to examine whether the things, whereof he was accused, were true; but whether they would serve to asperse and Blacken him. For as they knew, that *calumniare audacter, et aliquid semper adhererebit*, defame boldly, and something will always stick, is a maxim which will constantly obtain; so they were not ignorant, that both *maledicta sunt irarum sela*, Slanderings are the Weapon's of Wrath and Revenge. And that in Enemies, *Detrahendi libido, terminum non habet*, the pleasure, which they take in calumniating, knoweth no bounds; and therefore such who had vowed Revenge against the Bishop, (as Griffith particularly had) were encouraged in saying all the ill of him they pleased, without being in danger of meeting with rebukes for their lies and perjuries.

But

But to go on to the *Third* and last Instance given by the Author of the *View*, &c. of the Bishop's Oppressing his Clergy, in demanding and taking from them Excessive Procurations, which is of one Henry Rogers (stiled by this Writer, one of the Bishop's own Witnesses) who Swore that a little before the Bishop's Visitation in 1691, he waited on his Lordship to desire to be excused his Attendance thereat. And that the Bishop then told the said Rogers, that he was to Pay 4 s. 6 d. for his Triennial Procuration, and that his Visitation being the first, since Rogers had the Living of Lanbadarnevaure, he was to Pay double Procurations, and that thereupon the said Rogers by the Bishop's order, Paid to his Servant 9 s. Now in my giving Answers hereunto, I must in the First place, still put the Reader in mind, of what has been said in reference to the 147. Canon, by Virtue whereof, the Bishop supposed he had a Right Vested in him, of requiring double Procurations of those who had come into new Livings, since his Primary Visitation. But then Secondly, I have something to acquaint the Reader with from this Rogers's Deposition, which as I do take it to be very worthy of Observation, so it will serve to detract from the Validity of all the Depositions given against the Bishop of St. David's. And it is, how that Rogers hath not only therein Sworn to Lucy the Promoter's having endeavour'd at the Metropolitcal Visitation at Cardigan, Anno 1694, to Suborn him to be a Witness against the Bishop, by telling him that his Living of Lanbadarnevaure was small, and that as he needed not esteem himself indebted to the Bishop for so small a matter: So that the Arch-Bishop would take notice of such as would inform against his Lordship; but he hath likewise Sworn, that Lucy had in effect menaced him to Depose against the Bishop, by saying that seeing he the said Lucy, could not receive satisfaction there, they who would not then declare the Truth, of what they Paid as Fees for their Instruments of one kind and another, should have a Journey to London as sure as God was in Gloucester. Wherein besides the Evidence given us of Lucy's being an Irreligious as well as Silly Fellow, thro' his using so Prophane and Senseless a Proverb, we are abundantly instructed, what Way's, Means and Methods were taken, both for the getting Persons to Depose against the Bishop, and for the gaining them to Swear to whatsoever, the Promoter had a mind they should. For tho' the Word's he used in way of Caress, were only that the Arch-Bishop would take notice of such as would inform against the Bishop; and tho' the

Summary
View,
p. 26, 27.

Rogers's
Examinat.
Oct. 12.
1698. ad
Artis. 11.

Terms in which he *Threatened*, were meerly, that they who would not *Declare the truth* at Carmarthen, should have a *Journey* to London; yet his meaning in both is so obvious, that no Man of Sense can miss *Discovering*, that his design was, the mustering up of *Witnesses*, by Fair means, and by Foul: And that they who would not be decoy'd and Suborn'd by Promises to be such, were to be Hector'd and Frighted into the becoming such by Menaces and Threats. But then 3ly. I have this further to say in way of *Answer* to the *Allegation* of the *Author* of the *View*, from *Rogers's Deposition*, and which I shall also raise from the very *Deposition* it self. Namely, That if more had been demanded and taken from him for his *Procurations*, than there should, that there were offers made him of having it repay'd. For he therein positively Swears, That one Mr. Powel had order'd Mr. Price to tell him, that if any more had been receiv'd of him for *Procurations*, than what he ought to have Paid, that it should be restor'd him. Which as it sheweth how sincere the *Bishop* was in the offer he made at the beginning of the *Process*, namely, That tho' he had never demanded nor taken higher Fees of any kind than as he was Informed by his Register, he Legally might; yet that in case he should by the said Information have been misled, to the claiming of greater Fees than he ought to have done, he would be ready to make full *Restitution* to every Person, of whatsoever had been received of them, above what they were obliged by Law and Custom to have Paid. So his having actually done it to several, (whom I nam'd before) and his having by *Rogers* own Confession, caused him to be told, that the like should be done to him, ought to have been accounted (and would have been so at any Impartial Tribunal) a full Vindication of his Lordship, from having had any thought of Oppressing his Clergy, by taking from them excessive *Procurations*. So that from *Rogers's* having never come to demand the Repayment, of what he pretended to have Paid for *Procurations* at the *Triennial Visitation*, more than he should, I am lead to the Fourth and last *Answer*, which I intend to give to the afore-said *Allegation*, produced by the *Author* of the *View*, from and upon *Rogers's* Deposition, viz. That the 9s. which he Paid at the *Triennial Visitation*, was the *Procuracion Fees*, which he stood Indebted, and was in Arrear for from the time of the *Primary*, when by Law and Usuage, so much was to have been demanded and taken of him. Nor neither did he in 1691,

Ibid. at
Interrog. 2.

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(nor hath he since) Pay the *Procurations* which were due at the *Triennial*. So that it proceeded neither from *Rogers's* self-denial, nor from his modesty, nor yet from any respect and deference, which he ought to have had for the *Bishop*, by reason of the Favours which his *Lordship* had done him, that he forbore requiring the being reimbursed, what he Alledged his having Paid, above what was to have been taken of him; but it arose from his being Conscious, that instead of having any thing returnable to him, he was to have *advanc'd* more to the *Bishop*. And what I have now suggested, doth undeniably appear from the *Bishop's Book of Procurations*; which tho' it be not *Register'd*, yet it ought to be of more weight with all Men of sense and probity, than any thing Deposited by *Rogers* should be. So that having now Examined with all the Industry and Accuracy I could, whatsoever hath been Alledged against the *Bishop of St. David's*, with respect to the *Crimina minora*, lesser Offences, whereof he was Accused; I hope that I may not only say, that he stands fully Vindicated from the foregoing Aspersions which were cast upon him, and that in reference to all of them, it is made demonstratively appear, that the reason of his being Censur'd, was not his being prov'd Guilty, but that he was *Conspiracione inimicorum, & invidia falsi* Tacit. minis oppressus, and because that veritati & Innocentia ejus, nusquam locus erat, before some People; and how that, thereupon Annal. Lib. 3. having set the foremention'd particulars, in an other, and a much truer light than they were, I may now safely go on and proceed, to an Inquiry into those *majora Crimina*, greater Crimes, which have been Charged upon him. And as in the performing hereof, with that exactness which I ought, I shall have now and then occasion of dipping more into some parts of Learning, than I have hitherto had; so it shall be my particular care to manage the whole with all the reservedness, modesty, and temperance, which the case and matter will admit. Nor shall I allow my self to make any Reflections, which may be thought to favour of severity, provided they can be avoided without Prejudice to what I am to Discourse about. However it will, I suppose, give surprize to few, to find the *Metropolitan* sometimes represented as Offending against the Rules and Measures of Wisdom and Justice, if they do but observe, how in, by, and from several *Papers* lately Printed, his *Grace* is set forth, as having

Acted not only very Arbitrarily, as well as Haughtily towards the *Majority* of the *Lower House* of *Convocation*, (and who were they to be weighed, as well as numbered, ought to bear the *Stile*, and to be allow'd the *Authority* of that House) and being the *Reverendissimus*, hath behaved himself with great partiality, and as one entirely devoted to a Party and Faction, and that for the very sake of Faction; and that as he hath not carried towards the greater Body of that Assembly, with the *Wisdom* and *Justice* which might have been expected, so he hath been too regardless of *Truth* and *Veracity*, in what he condescended to speak in the *Jerusalem Chamber*, Feb. 19. 1704, and whereof he hath honour'd the Nation with a *Copy* in *Print*, and that not in *Latine*, which setting aside other reasons, we are beholding to him for, in that it is become the *Language* of the *Beast*.

Summary
View,
P. 27.

The next thing then that I am to encounter the *Author* of the *View* about, is the *Sin* of *Simony*, which he says, was not only charged, but proved against the *Bishop*, to have been committed by him in many *Instances*. Which before I will inquire into, or proceed to an examination of, there are several things, very proper to be offer'd by way of *preliminaries*; whereby we shall both come the better to understand the nature of that *Crime*, and likewise know, what provisions have been made in all Ages for preventing it, and how, and after what manner, such as were found guilty of it, have by the *Laws* of *Christian Nations*, as well as by the *Canons* of the *Church*, been order'd to be punished. And the *First Thing* to be observed is, that as the *Sin* of *Simony*, received its denomination from *Simon Magus*, so that the nature thereof must consist in some thing or fact, which do bear analogy unto, and are of alliance with the *Crime*, whereof he being guilty, the *Apostle* *St. Peter*, did not only pronounce that very severe denunciation against him, of his being in the *Gall* of *bitterness*, and in the bond of iniquity; but intimated it to be a crime of so heinous a Nature, that he leaves it doubtful, whether it was upon any terms pardonable. For no less is imported; as well as insinuated in that of *St. Peter* to the said *Simon*, Repent therefore of this thy *Wickedness*, and pray God, if perhaps the thought of thy heart may be forgiven thee. Which seemeth to me to be a threatening, which approacheth very nearly to the *Commination* of *St. Paul*, in reference to those, who did wilfully

Acts 8.23.

V. 22.

fully and totally apostatize from, and renounce the Christian Faith, after they had embraced, made profession of, and felt several of the effects, and tasted diverse of the Comforts and Refreshments of it; Namely that *it was impossible to re-^{Heb. 6.} new them again to Repentance.* For tho' all Sins, be by the Covenant of Grace, made and pronounced pardonable, upon sincere and unfeigned Repentance; yet there may be, and there are Sins, upon which they who have committed them, stand precluded from all the auxiliaries of Grace, which are previously needful to their Repenting of them. Which as the Apostle St. John calls *Sins unto death,* (in contradistinction from those offences, which he stileth *Sins not unto death*) for the Re-^{1 John 5.} mission whereof, he saith *we are not to pray;* so the very *Jewish* ^{16.} masters do generally agree, *That the Gate of Repentance, was* ^{Puraph.} *shut against some sort of Transgressions.* And by reason hereof ^{Chald. in} it was, that most of the Fathers of the Primitive Church, or-^{Cant. 55.} dained, that they who (after their having made profession of the Christian Faith, and their having been Baptized) should be found to have perpetrated some certain horrid Crimes, ^{RR. ad} should not be restored to the Communion of the Church, nor ^{Esa. 22.} be publicly pray'd for. Not that they thereby designed, the ^{14. Philo.} excluding them wholly and altogether, either from the Grace ^{de Allegor.} of Repentance, or from the possibility of being Forgiven; ^{Maimon.} but all which they thereby intended, was, that according to ^{de peni-} Revealed Rules, they had no assurance of the one or t'other. And that whatsoever Grace God might dispence, or mercy he might shew in way of *prerogative* to such Offenders; yet by the *promises* made in the Gospel, (which are the only mea-^{tens.} sures, which the Church is to attend unto in all her Discipli- nary actings) they had no ground of confident hope, either of the Repentance, or of the Forgiveness of those who had perpetrated such and such Sins. But tho' I have given the Reason, why the *Crime* we are to inquire into, and discourse of, comes to be called *Simony*; yet I would not be so understood, as if I thought it a Transgression of the same *Species* or kind with that of *Simon Magus*. Seeing his Crime was, the offering to have bought the power, that he on whomsoever he laid ^{Acts 8.} hands, should receive the Holy Ghost; Whereas that which is now ^{18, 19.} come to be stiled *Simony*, is only the *Buying*, or the *Selling*, a *Presentation*, or a *Collation* to an Ecclesiastical Benefice; which is

a far different *Crime*, from that of *Simon Magus's*. And therefore as what is now called *Simony*, is only improperly so, and at most (as I said before) because of some analogy it hath to his *Crime*; so the Fact which cometh nearest to the Sin of *Simon Magus*, is the selling of *Holy Orders*, or the ordaining persons to be *Priests* or *Deacons*, upon the motive and score of Money. But as the admitting men into holy Orders, is not only different, but separable, from the presenting, and the collating them to Benefices; and accordingly persons may be admitted into Orders, with respect to their being sent to preach the Gospel, where there is not so much as a Christian Church, and much less any Ecclesiastical Benefice, and in diverse cases are so; so there is a very great difference between the Nature of the Ministry, and the Exercise of it in such a Place, with the having a Right given to such a Maintenance. For by the being admitted into the Ministry, the man becomes Consecrated to God, and to his Service in Holy Things; whereas by being authoriz'd to the Exercise of it, there is only together with a Title given him to the performance of the work of his Function, a Power vested in him for demanding and receiving the Temporal profits, of such a Rectory or Vicarage &c. Yet because it is appointed by the Laws of our Church, that *Officium* is inseparable a *Beneficio*, and that there shall be no *Vaga Ministeria*, or Ministers *sine Titulo*, allowed among us; therefore the Giving, or the Taking Money, for a Presentation, or a Collation &c. (save what is appointed to be paid as Fees for Instruments) is with us called *Simony*, and made punishable as such. In that, as I have said before, tho' it be not the Buying or selling of a *Spiritual Gift*; it is nevertheless the Buying and Selling of that which is *Spirituali annexum*. And as in all ordinary cases, there is great reason for prohibiting the Ordaining of any man to be a Minister *sine intuitu ad locum*, without his being called to a place, where he is to Exercise his Ministry, and *sine jure concessio ad Beneficium*, without his obtaining in the method's of Law a Right to the *Temporalities* separated and allotted there for his maintenance; so there is something deliver'd in the very new Testament, which seemeth to authorize, as well as to lead to this practice. For if we do but look into the Acts of the Apostles, we shall there find, that Paul and Barnabas having converted many in several places to the Christian Faith, they

Hooker's
Laws of
Ecclesiast.
politic.
Lib. 5.
S. 80.

Acts 16.

they thereupon Ordained them Elders in every Church. And accordingly it hath been the practice of the Christian Church in all Ages (save in the case which I have mention'd) to allow none to be Ordained, except those who were called to the Exercise of the Ministry, in some one certain place, or another. So that it not only came to be Established in Provincial Synods, but it was actually enjoined by a Canon of the Council of Chalcedon, That no person whosoever should be Ordained, unless he had a previous Vocation to some particular Cure, where he might perform the Offices of his Function. And therefore as it had been made a standing Rule in the Canon Law, that no Place should be separated, or set apart for the Celebration of Christian Worship, except there was an Endowment made for the maintenance of such, as should be appointed to Officiate in it; so it is also particularly appointed in the Canon Law, That whensoever a Presbyter is Ordained sine Titulo, the Bishop who admitteth him into holy Orders, shall be bound to Maintain him untill he is otherwise provided. Nor hath the Church of England omitted the taking very singular care in this matter, in that she hath expressly appointed, That forasmuch as it hath been long since provided by many Decrees of the Ancient Fathers, that none should be admitted either Deacon or Priest, who had not first some certain place where he might use his Function; She doth therefore Ordain, that thenceforth no person shall be admitted into Sacred Orders, except he shall at that time exhibit to the Bishop of whom he desireth Imposition of hands, a Presentation of himself to some Ecclesiastical preferment then void, &c. By all which, as we find what wonderful care, the whole Christian Church in general, and the Church of England in particular, have taken for preventing the Scandals, which would unavoidably arise by and from Vagrant Ministers, who thro' having neither fixed places of abode, where their behaviour and conduct might be under Inspection; nor any stated provision made for their Subsistence; but thro' being left to an ubiquitary and wandering Life, and withal under a necessity of living precariously; would not only have opportunities administred to them, of practising undecent and ill things, under hopes of concealment, as well as of impunity; but who because of their being necessitated to live precariously, would be tempted to too servile an observance of the humours, if not to fall into a compliance with the lusts, of such as should relieve and maintain them; so it proceedeth from this, that be-
cause

Can. 6.

Instit.
Jur. Ca-
non. Tit.
18.Grat. 1.
Dist. 70.
vid. et am.
Hist. Con-
cil. Tri-

dent. p.

Constitut.
Eccles.
An. 1603.
Can. 33.

cause no man is to be *Ordained*, unless with respect to some certain place, where he is to *reside* and to *Officiate*, that therefore the *Buying* and *Selling* of *Presentations*, or of *Collations* &c. to *Benefices*, are declared to be *Simony*, and made punishable as such.

Which leads me to the *Second Preliminary*, which I propose to lay down. And that is to inquire, how, and in, and after what manner, they in *Ecclesiastical Power*, in all Nations where Christianity hath obtained, have appointed *Simonists* to be Censured, and what Punishments they have ordained and appointed against *Simony*. And whosoever hath vouchsafed to look into this part of Learning, will find that the Christian Church from the beginning, even before she had *Kings* to be *Nursing Fathers*, or *Queens Nursing Mothers* to her, did by and in the vertue of the intrinsick power vested in her by our Lord Jesus Christ, proceed with all the severity she could, against such who were found guilty of *Simony*. For she reckon'd it to be no less her duty, than her glory, to suffer none to come into the Sacred Ministry by the way of merchandise and purchase, which made *Tertullian* say, when he was speaking of Christian Assemblies, *president probati quique Seniores, honorem istum non pretio, sed testimonio adepti, neque enim pretio ulla res Dei constat*, the Bishops who do there preside, and have Authority over all the faithful committed to their Charge, are persons who have not acquired this honour by bribes, but by the Testimonies given of their good Lives by those whom they are to conduct; for in the Church of God, nothing is done by the allurements of Gifts. Accordingly in the *Canons*, which are called *Apostolical*, (that are indubitably very ancient, tho' probably, as I have said before, not made by the *Apostles* themselves) it is provided and ordained, that whosoever come by the means of Money, to be made Bishop, Presbyter, or Deacon, shall not only be immediately Deposed, but they shall also be Excommunicated, and cast out of fellowship with the Church. Nor are the *Canons* either of *General*, or of *Provincial Councils* afterwards more indulgent and favourable towards those, who by such means come to be admitted into *Holy Orders*, or to be preferred to *Ecclesiastical Dignities* and *Benefices*. Seeing they have not only appointed, that such persons should be Deposed and Degraded, but they very often denounced an *Anathema* tam danti, quam accipienti, against those, that either

2. Can. 3. gave, or received Money, Gifts, or Bribes upon such accounts.

But

Apinolog.

Can. 29,
30.

Vid. Concil.

Bracarenf.

But for as much as this is a subject, in reference whereunto, we have rather a plenty, than a penury of *Ecclesiastical Constitutions and Decrees*, I shall therefore wave the giving a deduction and detale of them at length, and shall only make such a reference to some few of them in the Margin, that the Reader may know whether to have recourse for his fuller satisfaction. However it may not be amiss to observe how very severe the *Canon Law* is in this particular. For it doth not only place *Simony inter crimina majora*, among the worst Crimes, that any one can be guilty of; but it declareth every *Simonist* incapable of *Saying Mass*, or of performing any part of the Office of an *Ecclesiastick*; from the doing whereof, they who are guilty of other very heinous sins are not by that *Law* debarred. Nor doth it meerly appoint, that whosoever either *Simonically* Ordains, or Collates, &c. or who is *Simonically* Ordained or Collated, shall be *Deposed*; but it expressly also enjoyneth, that every *Laical Person*, who either having the *Paronage* of a *Living*, shall take a *Bribe* for a *Presentation*, or who on the score of a *Reward* shall intercede to get one *Ordain'd*, shall be *Excommunicated*. Neither are the *Reform'd Churches* (as it might be shewed out of all their *Confessions*) less severe in this matter, than that of *Rome* is. And the *Churches* of *England* particularly, hath both taken all imaginable care to prevent *Simony*, and hath likewise, if perpetrated, made it severely Punishable. And therefore as in order to the obviating it, she hath Ordain'd, That before any Person shall be Admitted, Instituted, Collated, &c. to any *Ecclesiastical Function*, Dignity, Promotion, Place or Benefice, &c. he shall in his own Person, and not by a *Proctor*, Swear that he hath made no *Simonical Payment*, contract or promise, directly or indirectly, &c. for or concerning the procuring and obtaining of the said *Ecclesiastical Dignity, Place, Preferment, Office or Living*; so she hath Ordain'd that all such shall be *depriv'd*, who shall be prov'd Guilty of that execrable Crime, and that they may not escape being detected, it is made one of the *Articles* to be Inquir'd after at every Visitation. I might hereunto add, how they in *Civil Power* in and over *Christian Nations*, have at all times shew'd themselves extremely rigorous, in the Punishments they have Enacted against the Crime of *Simony*, and that particularly they have done so here in *England*. And there-

Vis. Concil. Gen. 4.
Can. 2. Concil. Gen. 6.
Can. 14, 15. 22. Concil.
Arelatens. 3. Can. 1.
Concil. Toler. 4. Can.
19. Synod. Neo-caesarien.
Can. 2. Concil. Toler. 8.
Can. 3. Concil. Cabilonens.
Can. 16.

Instit. Jur.
Canon.
Lib. 3.
Tit. 3.

Vis. Gra-
tian. 2.
q. 1.

Vis. Con-
fess. Hel-
vetic. c. 18.
Belgic.
Artic. 31.

Constit.
Ecclesiast.
An. 1603.
Can. 40.

Injunct.

An. 1559.

Injunct.

26.

31. Eliz.

cap. 6.

fore as it was one of the *Injunctions*, which (being grounded on the *Laws of the Land*) Queen Elizabeth emitted in the First Year of her Reign, viz. That all such Persons, as Buy any *Benefices*, or come to them by fraud or deceit, shall be Deprived of such *Benefices*, and made unable at any time after to receive any other *Spiritual Promotion*; and that such as do sell them, or by any *Colour* do bestow them for their own gain and profit, shall lose their Right and Title of *Patronage* and *Presentment* for that time, and the Gift thereof for that vacation, shall appertain to the Queens Majesty; So there have been diverse *Laws* Enacted since that time against the *Crime of Simony*, and particularly one in the 31 of *Eliz.* in which several *Penalties* are ordained, for the punishment of those, who shall be found guilty of it; namely That he who takes *Money* for presenting, shall forfeit double the value of one years profit of the *Living*; and that he who *Ordains* for *Money*, shall besides the being otherwise censurable, forfeit also the *Summ* of 40*l.* and that as whosoever obtaineth a *Presentation* to a *Benefice* by *Money*, in order to the getting himself *Ordain'd*, shall over and above his undergoing other *Censures*, Forfeit 10*l.*

But there is yet a 3d. *Preliminary*, which I have to lay down, and that shall be as well in relation to the *Various Persons*, who may be, and are usually Guilty of the *Crime of Simony*, as in Reference to the *Several ways* and *different Manners*, in and by which it is said to be Committed. And as the *Persons* most liable to the Suspicion of becoming Guilty of *Simony*, are either the *Patrons* or the *Presentees*; or else the *Collators* and *Institutors*, or the *Collated* or *Instituted*, or some *Relations* or *Friends* interposing, or acting Respectively for them; so there is Provision made by *Laws* as well as by *Canons*, how they shall severally and differently be Punished. Tho' it must with all be Dolefully acknowledged, how that too often by means of some *Diotrophes* in the Church, and oftner by reason of the *Grandure*, and *Power* of those who are *Lay Patrons*, all these *Provisions*, whether made, or ordained by *Laws* or by *Canons*, either for the preventing, or for the Punishing of *Simony*, have alway's been, and still are, very much frustrated defeated and rendered ineffectual. But then forasmuch as *Simony*, is supposed to be Practised, as well as it is Practicable, by all, or by any of those whom I have Mention'd, in and after different ways and manners, therefore they who have written

on

on this Subject, have been very carefull and exact, in distinguishing, and in explaining those Ways, severally and distinctly to us. Namely, that the *Crime of Simony*, may not only be Committed, by the taking of, or by the contracting for Money, or something Gainful, and Equivalent given or Promised; but that it may be likewise Committed, on the Motive of a Service, which either hath been done, or is Expected to be done; or either in recompence for a Peice of Flattery, or on the Prospect of bringing one into an undue or implicate dependance. For besides the Abominable method's pursued by so many *Lay Patrons*, of putting off those Women, whom they had Debauched, or of disposing their Ladies or Wives decay'd or Superannuated Chamber-Maids, by *Presenting* such to *Living's*, as will accept them on those wicked, as well as Base and unworthy Terms; there are many other ways, tho' not so transcendently Abominable, nor so Egregiously scandalous, in which the Sin of *Simony* may be perpetrated, and that by *Ecclesiasticks*, as well as by *Laicks*. And it is so in every Case and Instance whatsoever, when and wherein, Persons are either *Presented* to *Living's*, or *Admitted* to *Holy Orders*, on other Motives, or upon other Views, save the Worth and Merit of the Persons, or the Edification and Benefit of the Church. Yea I will not say, but that Men may become Guilty of this Crime, thro' a meer departure from *Alexanders* maxim of *detur digniori*, in the Answer he made to those, who desired him to declare, whom he would have to be his *Successor*. And I will be bold to affirm, that Persons may more especially become Guilty of it, thro' and by acting under the Influence of such an inordinate Natural affection, as brings them within the Circle of *Seneca's* observation, that *perit omne judicium, cum res transit in affectum*. It was otherwise generally in the Primitive Church, where while the Election of Bishops, and the Choice of persons to the Pastoral Office, were in their Hands, in whose it ought to be, Men were preferred upon other Motives, and because of other Qualifications, than they too frequently are now. For the *First* were neither the Creatures of Court Favourites, nor advanced to serve only Secular ends; neither were the *Second* Chosen upon the single Fancy, and Humour of a *Lay-Patron*, and much less upon baser Inducements. And as *Alexander Severus* both admired the Method's of the Christian Church, in that matter, and in his appointing Civil Go-

See 2. Decret. Can.
1. Institut.
Jur. Canon. Lib.
4. Tit. 3.
Bochell.
Decret.
Ecclesi.
Gallic.
Lib. 7.
Tit. 21.

Lamprid.
in Alex.
Sever.

Tacit. in
Vit. Agric.

Tacit.
Annal.
Lib. 6.

Gal. 1.
19.

vernours over Provinces, thought fit to imitate the Example of Christians, in their Election of Ecclesiastical Officers; so it would be Honorable both in *Bishops* and in *such*, as have the Right of *Presenting* to Livings, if in their bestowing Preferments, they would follow the Example of *Agricola* in his Choice of men into Military Employes, namely, *Non studiis privatis, nec ex commendatione aut precibus ascire, sed optimum quemque fidissimum putare*, he did not Chuse them, by reason of *Private and Personal Respects*, nor because they were *Recommended*, and *Intercession* made for them, but meerly on the Score of their own worth, as reckoning that whosoever was the best Man, would be the Faithfullest. And indeed the best Rule to walk by, in such Cases, is to see that they be always *pares negatio*, adapted not only for the Dignity or Office, but for the Exercise and discharge of it, among such a People, and in such a Place. There being in my Opinion no less inconvenience to be feared, from Mens being qualified above what they are called to; than from their being endowed beneath it. Which hath made me alway's put a particular remark upon the Character, which the *Historian* gives of *Poppæus Sabinus*, who for 24 years had been a Governour over several and great Provinces, *viz.* that he was *par negotiis, neque supra erat*. Not but that it is a Duty, as well as Lawfull, either for a *Lay-Patron*, or for a *Bishop*, *ceteris paribus*, to give the Preference to those who are their Relations, and to advance them rather, and sooner than others. Whereof as the most Pious *Prelates*, which the Church ever had, have left us many Instances, and particularly the late *Arch-Bishop Sandcroft*, who for Learning and Godliness, came behind none that have filled the *See of Canterbury* since the Reformation, and yet gave to One who had only Married his Neice, the *Arch-Deconary* and *Prebend* of *Canterbury*, and the *Chancellorship* of the *Collegiate Church of Christ*; so it is not altogether unworthy of our observation, that tho' our Lord, Chose but 12 to be *Apostles*, yet he chose *James* the Son of *Mary of Cleophas* who was Sister to the *Virgin* his Mother to be One of them. And who as by reason thereof he is called the *Brother of our Lord*; so it is not improbable, but that because of the said Relation, he had the Chief and peculiar Inspection of the Christian Church of *Jerusalem* devolved upon him. And who as he therefore generally Resided there; so in the vertue thereof he both Pronounced the Decree of the

Apostles

Apostles and Elders, when they *Assembled* at *Jerusalem* to Consult about *Circumcision*, and he also directed that *Apostolical* and *Catholick Epistle* extant under his *Name* in the *New Testament* (of which he is undoubtedly the *Author*) to the *Twelve Tribes* scattered. Ab. 15.
13, &c.
James 1.
1.

And as I have laid down these *Preliminaries*, both to let the *Reader* know, that I am no *Favourer* of *Simony*, and that I would be far from offering to *Write* in behalf of the *Bishop* of *St. David's*, if I thought him any ways *Guilty* of it ; so having finish'd them, I am now prepared to attend on the *Writer* of the *View*, and to *Examine* whatsoever hath been produced by him for fastening *Simony* on the *Bishop* of *St. David's*. And as I will *Presume* to enter upon it, in the *Phrase*, of *Paulo* *Majora* *Canamus* ; so I doubt not, the being able to *Expose* this *Writer* further, and to make him more ridiculous on this head, than on any of the former. And his not only *Blundering*, but *falsifying*, at his very entrance on the *Charge* and *Proofs* of the *Crime* of *Simony* against the *Bishop*, doth both shew what a weak, as well as a calumnious *Writer*, I am about to *Encounter*, and that I am likely enough in my going along with him, to find sufficient matter for *bafling* and *insulting* over him. For whereas he begins with saying, *That this detestable Sin of Simony was committed by the Bishop in many Instances* ; he is nevertheless in the very next Words forced to acknowledge, that *all the Simonies*, whereof the *Bishop* is so much as *accused*, do either relate to the *Preser-ments* to which he *Collated* his *Nephew* *Mr. John Medley* ; or to the *Rectory* of *Burrough Green* in *Cambridge-shire*, which was held in *Commendam* by the *Bishop*. So that tho' it were too much to have his *Lordship* proved guilty of *Two Simonies* ; yet by no *Arithmetick* which I am acquainted with, can *two Instances*, be stiled *many*. And should I admit, that *Two* may be called a *Number* ; and that whatsoever is beyond an *Unite* is so ; and that an *Unite* is with respect to *Number*, what a *Point* is to a *Line*, yet it will no ways follow that *Two* may be stiled *Many*. And therefore as our own *Law*, will not suffer that to be stiled a *Rior*, where there are not *Three* Persons at least, if not more, because *Two* cannot come under the denomination of a *Multitude* or of *many* ; so even the *Sycophant Canonists* of the *Church* of *Rome* who would have the *Pope* singly and alone believed to be the *Church*, yet it is with

with this abatement and diminution, that he is to be thought only *virtually* so. But whereas before he comes to specify the *Proofs* in reference to the *First*, he *thinks it may not be amiss to premise* some things by way of Introduction to them; I shall so far comply with him, as both to hear what they are, and to make those observations on them, and such Reflections on him, as I find matter administred for. That which he then *Premiseth* is, That Mr. Medley was in the year 1687. when his Uncle
 Ibid. P. 27, 28. was made Bishop of St. David's, possess'd of a small Curacy in Yorkshire, of about 30 l. per annum; but that before the end of the year 1688, he was Coliated by the Bishop to Two Rectories and two Prebends; to which the Bishop added in the year 1691. the Archdeaconry of St. David's, and the Treasurership of the Collegiate Church of Brecknock. That it would be imagin'd that this Accumulation of Preferments, should make the Yorkish Curate appear gay and chearful, and put Money in his Pocket, but that on the contrary the proofs assure us, that tho' he continued a Batchelor, and kept neither Man nor Horse, and tho' for near two years he was lodg'd and dieted at 10 l. per annum, yet he was always complaining for want of Money; nay that William Harris Swears, he heard Mr. Medley wish he had never come to be preferred, but had staid at his Curacy in Yorkshire; and that Wilfray Pyemont swears, he was so disturbed and melancholly, that he had refused to go to Church, and that when the said Pyemont pressed him to go, Medley answered he could not pray. Whereunto before I give those direct Answers, which I have in readines to offer, I shall crave the Liberty likewise both to *premise* two things which shall very much weaken, if not entirely discredit all the *Depositions* brought against the Bishop, of his having *Simoniacally* preferred Mr. Medley; and also to make *Two Reflections* on the *Author* of the *View*, which shall effectually shew him to be neither a man of Sense, nor of honesty; but that his Intellectuals and morals are of the same complexion and dimension, the latter being no less depraved and impure, than the former are shallow and weak. And the *First* thing I have to *premise* is, that it doth fully appear by the Testimonies upon Oath of many Witnesses of unquestionable reputation, that the Bishop did not only on all occasions declare his abhorrence of *Simony*; but that he did both rebuke some of his Relations for making a Proposal to him, which had a vergency that way; and that he also refused a very advantagious Match for One
 of

of his *Neices*, because there was some thing Overtur'd in order thereunto, which might be constru'd to have carried a *Simoniacal* Air in it. Whereof having intimated something before, I shall therefore be the shorter, in what I am now to add. Namely that as it hath been Deposed by diverse, that as his Lordship did freely and frankly bestow some Preferments on them, without proposing to have any reward or acknowledgment whatsoever either directly or indirectly; and that they had on all occasions heard him declare his detestation of *Simony*; so it hath been Sworn by *Thomas Griffith Gent.* That having upon a Treaty of Marriage between Mr. Henry Powel the said Mr. Griffith's Nephew, and Mrs. Elizabeth Medley (now Mrs. Price) the Bishop's Niece, proposed to his Lordship, that as an encouragement to the said match, he would Collate the foremention'd Mr. Powel to the Rectory of *Aberdowry* then vacant, how that his Lordship not only refused it, but told him after an Angry manner, what? will you make me guilty of *Simoniacal* Contracts? And that thereupon the Match broke off. All which is not only confessed upon Oath by Mr. Powel himself, who is Vicar of *Langadock*, but he addeth farther, that as His the said Mr. Powel's Mother, thro' her being dissatisfied with his Lordship's refusal to Collate her Son to the foremention'd Rectory (as an augmentation of Portion) broke off the Match, tho the Articles of Marriage, were drawn, and ready to be Executed; so that the Bishop both expressed his abhorrence of such a thing, and said he had wherewith to Portion his Niece, and to give her a Fortune, without using such indirect means. Yea it was in proof, how that the now named *Thomas Griffith of Clirrow* in the County of *Radnor* Gent. did Depose, that upon his aforesaid Nephew's (Mr. Hen. Powel) coming afterwards to Marry Mrs. Hannah Medley, another of his Lordship's Neices, he the said *Thomas Griffith* applied to and besought the Bishop, that he would thereupon bestow some Preferment on his Nephew, but that the Bishop denied to do it, saying he should not make him Guilty of *Simoniacal* Contracts on that account. Moreover it is Sworn by diverse, that they had seen Letters Written to Mrs. Hide the Bishop's Sister, wherein several hundred pounds were offered her, in case (as hath been declared before) she could prevail with the Bishop, to give the Church of *St. David's* to one *Lloyd*, and the *Treasure* of *Christ's Colledge Brecknock* to one Mr. Williams; and as Mrs. Hide Swears, She having shew'd them to his Lordship, he not only severely rebuked her, for daring to meddle in such matters, but told her, That as he abominated such practices, so he would ne-

Ed. Gwyn,
31. Wim.
Tho. Phil.
lips 36.

Geo. Wat-
kins, 27.
Wit. Hen.
Powel,
15. Wim.
The Bp's
32. Wim.

The Bp's.
15. Wim.

The Bp's.
32. Wim.

Mr. Hugh
Powel, the
Bp's 42.
Wim. Mr.
Ch. Pryse,
44. Wim.
Mrs. Hide
23. Wim.

ver prefer any, for whom applications should be made in that way. Further it was Deposed by Mr. William Williams of the County of Brecknock Gent. that he had seen a Letter bearing date Oct. 1690 which had been sent to the aforesaid Mrs. Hide, and that therein a promise was made to her of a 100 Guinea's, on condition she could get the Bishop to bestow the Prebend of Llan-gamarch in Christ's-Colledge Brecknock, on a certain Person, And that the said Mrs. Hide had told him, how upon shewing the Letter to his Lordship, he was very Angry with her, and declared his abhorrency of such a thing. From all which I may very justly infer, how repugnant it is, not only to all the Rules and Measures of Religion and Charity, but to all the Lines and degrees of Reason and good Sense, to believe, or so much as think, that a person who abhorred the being guilty of Simoniackal contracts with Strangers, should be capable of Committing that Crime in Transactions with a Nephew, and one whom he so entirely loved, as he did, and doth him. So that notwithstanding the Credit, which hath been given by some to calumnious Accusations of that kind, yet I am not asham'd to declare my self of the same mind with the many persons

John Lewis Esq; the Bp's.
 24. Winn. Walter Lloyd Esq;
 25. Winn. Hen. Pool, 26. Winn.
 &c. See before p. 72. Rich.
 Griffith, 22. Winn. Mr. Ch.
 Pryse, the Bp's. 44. Winn. Mrs.
 Eliz. Hide 23. Winn.

of condition and probity, who have Sworn that they believe his Lordship would not be guilty of this Sin of Simony, and do also reckon that the said Bishop spoke with great sincerity, when he said (as was likewise in proof) that neither his Relations, nor any others, should by involving him under the Guilt of that Crime, bring a Curse upon him; and withall added, that none who encourag'd the Sin of Simony, would ever thrive.

But to proceed to the 2d. thing, which I undertook to Promise, and which being duly consider'd, will serve not only to Blast the Reputation, and to fasten an indelible Infamy on those who Deposed, but to leave an Imputation, either of Great weakness, or of something more blameable, on such who gave Faith to what was Sworn, in relation to Mr. John Medley's having been Simoniackally Preferred. And that is, that the said Mr. Medley, is a Person of such Remarkable, and known Vertue, Probity and Piety, that he would have Chosen rather to have Starved, than have come into any Ecclesiastical Benefice, by ways, means and Methods, which were Sinful and

and Criminal. Nor is it only by *Persons*, whom the *Bishop* produced for *Witnesses*, that such a Character is given him, for serious Religion, and strict Godliness, as ought to have cover'd him from the very Suspicion, of being thought, and much more of being believed, capable of Committing, so Ignominious and Punishable, as well as so Abominable a Crime, as *Simony* both is, and stands accounted; but so much also is deposed concerning his being a Sober, and Conscientious Man by them, who were the *Promoter's Witnesses*, as will amount to a Demonstration, that he would not be Guilty of that Offence. For as *Simony*, is a Crime of that Nature, that it is not Practicable by one Man alone, and Single, without the Intervention and Concurrence of an other; because in every *Simony*, there must be a mutual Contract and Stipulation, which doth at least presuppose two, if not more to be Accessory unto, and concerned in every *Simoniack* Transaction; So there being no Person save Mr. *Medley* himself, with whom it was possible for the *Bishop* of *St. David's* to make a *Simoniack* Contract, it will undeniably follow, that if Mr. *Medley* was one of that severe Vertue, as not to be Ingaged in a Transaction of that kind, it was impossible the *Bishop*, should have been Guilty of *Simony*, in his conferring Dignities and Benefices pon his Nephew *Medley*. For what is some where said in the Canon Law, *De Simoniackis Simoniacke a non Simoniackis Ordinatis*, 2. Decret. & *de Simoniackis non Simoniacke a Simoniackis Ordinatis*, of *Simonists* *Simonically* Ordain'd by such as were not *Simonists*; *and of Simonists not Simoniackally Ordained by such that were Simonists*, it is, if not direct Nonsense, at least altogether unintelligible, unless either the *Simony* lay between the *Patron* and the *Presentee*; or that there were more Persons capable of interposing, besides the *Ordainer*, and the *Ordained*. And indeed in all cases, wherein and when, Parents, Relations, or Friends are the *Simoniack* Transactors, it is but just, that the Guiltless should be distinguished from the Guilty, and that the *Collated* or *Ordained* who are *Innocent*, should both be allowed to vindicate themselves from all concernment in those abominable transactions, and that their Reputations should neither be blasted, nor any ways diminished, because of the faults of others. But forasmuch, as nothing of that kind either could, or is pretended to have interveaned in the case of the *Bishop* of *St. David's* promoting Mr. *Medley*; I shall therefore shew from the *Depositions* of the *Witnesses* that there

have been those Testimonies given upon Oath, concerning Mr. Medley's Vertue and Piety, as do render it impossible he should have been accessory to that Crime. And as I will begin with what hath been Sworn by the Bishop's Witnesses; so I shall in the next place take notice, of what hath been owned upon Oath to the same purpose, by the Promoter's. And the first Deposition that I will produce in proof of Mr. Medley's being held for a very Religious man, shall be that of Mr. James Footman Minister of Llanquillo in the County of Radnor, with whom Mr. Medley having lived for about Three Quarters of a Year, immediately or soon after his coming into the Diocese of St. David's, he must needs in that time have fully observed his manners and behaviour. And he Deposeth concerning him, That he verily believes the aforesaid Mr. John Med-

The Bp's.
30. Winn.

ley to be a very Conscientious man and a person of a strickt and sober Life and Conversation, and no ways addicted to any vice, and one that would not be guilty of any notorious crime, especially that of Simony; and that he is commonly accounted, reputed and taken to be a person of the Character prepossed in all the Parishes where he hath lived in Wales, and also in the Neighbourhoods, and That he is held to be very Charitable. Whereunto the next Deposition I will add, shall be that of Mr. Henry Powel Vicar of Langadock in the County of Carmarthen, who having declared that he had not only known Mr. Medley for six years,

The Bp's.
15. Winn.

but that he had been thoroughly acquainted with him by means of the said Medley's having lived and dieted with him Powel for about 18 Month's, doth Swear that he knows Mr. Medley the Arch-Deacon of St. David's to be a very conscientious man, a person of a strikt pious and sober life and conversation, and that he is no ways addicted to any Vice, nor would be guilty of any notorious crime, especially that of Simony. To these I might subjoyn many more, of which diverse do carry his Character, much higher, and

wherein the Deponents do all of them Swear to their Belief, and several of them to their Actual and Personal Knowledge, of Mr. Medley's Sobriety, Godliness, and Piety, and that he would not be Guilty of Simony, or of any Notorious Sin whatsoever. But that this Discourse may not

Mr. Pryse, 44. Winn. Willfray Pyemount
46. Winn. ad Artic. 4 and 6. Robert Dow-
glas 47. Winn. ad Artic. 4. George Lewis 51.
Winn. Thomas Phillips 36. Winn. ad Artic. 4.
Franc. Beal 35. Winn. ad Artic. 4. Tho. Grif-
fith 32. Winn. ad Artic. 4. Eliz. Hide
23. Winn. ad Artic. 2 and 4. an other Mr.
Pryse 11. Winn. ad Artic. 4. Hoell Grif-
fith 40. Winn. ad Artic. 4. Will. Williams
Gent. 43. Winn. ad Artic. 5.

be too much extended, nor swell to an excessive bulk, I shall instead of calling them distinctly and severally over, content my self, and I hope satisfy the Reader by referring unto them in the *Margin*. And as these Witnesses are some of them of quality and condition, and all of them of reputation and probity, above and beyond those who appeared on the other side, and on that account should have been sooner credited, than they ought to have been; so the number of those who Swore to the Vertue and Piety of Mr. Medley, and that he would not be guilty of coming into any Place or Preferment by *Simony*, being far greater, than that of those, who either accused or suspected him of it, the Sentence, in every Court whatsoever, should have been given in favour of the *Accused*, and not of the *Accuser*. In that besides what I have before declared as well out of the *Civil* as *Canon Law*, both that *Testibus, non Testimoniis credendum*. We are more to consider, *who they are that Swear, than what is Sworn*; and also that when *Depositions* for and against one are equal, the Sentence then ought to be *Absolventory* and not *Condemnatory*; there is a *Rule* laid down and prescribed in a *Book* written and published by Royal Authority here in *England*, and that in relation to, and for the Government of, *Ecclesiastical Causes* especially, in and by which it is expressly Ordained, *That si testes aliqui faciant pro bona fama seu innocentia alicujus, ac rursus alii pro malo fama, seu noxa, volumus quod praferantur hi qui pro innocentia fecerint*, if the Witnesses, who Vindicate the Innocency, and Justify the good Fame of a Person, be equal for Number and Credit, to those who Depose to his being Criminal and Infamous, that in all such cases, the Testimonies of the former, shall be receiv'd before those of the latter, and the Party Accused and Defamed thereupon Acquitted. Whereof the Reason there given, is consonant to the measures of Natural Justice, and to the Laws of Nations, and more particularly agreeable to the humanity and temper, as well as the good Sense of the People of *England*, viz. *Quia ad absol-* Reformat.
vendum, potius quam ad condemnandum, promptiora sunt jura no- Leg. Eccle-
stra, because our Laws are more fram'd and design'd for the ab- sist. Tit.
solving of Men, in all cases, where the Crimes are not fully and evi- de Testib.
demly proved, than for the Condemning of them. And as we have c. 46.
 heard, what an excellent Character as to Virtue and Piety hath been given of Mr. Medley, by many of those Witnesses which were produced by the Bishop; so I shall not in the next place

think it amiss, nor can it be unacceptable to the Reader, that I give some short account of what diverse of the very *Promoters Witnesses* have been forc'd to acknowledge upon Oath, concerning Mr. Medley's being believ'd, and known to be a very Sober, Conscientious, and Good Man. The detale whereof is as followeth, viz. That *William Jones Gent.* hath Sworn,

- The Promot. 4. Arch-Decony of St. David's, and that tho' he was not very intimate with him, yet he hath been Inform'd, that he is a Man of a Sober Life and Conversation. And that John Barnet hath Deposed, his having known known Mr. John Medley for about Seaven or Eight Years, and that he had been very well acquainted with him, and that he believed him to be a very honest Man. As likewise that Thomas Williams did Swear, that he had known the said Mr. Medley about Five or Six years, and that to the best of his knowledge, he is a man of a Sober Life and Conversation, and is accounted for a very honest man. Moreover that Walter Watkins hath Deposed his having known the aforesaid Mr. Medly about Five years, and that he had never heard any thing to the contrary, but that he is a man of a strick't and sober Life and Conversation, and a charitable man. The same is sworn by John Phillips Gent. namely, That he takes Mr. Medley to be a very honest man. Yea even Jeremiah Griffith, who hath deposed so maliciously in relation to Mr. Medley's having been Simoniacally preferred, doth nevertheless acknowledge upon Oath, That having known the said Mr. Medley about Seven years, and even before he was made Archdeacon, yet that he knoweth nothing to the contrary, but that he is a Sober man and upright in his dealings. Finally, it was Sworn by William Harris, That he had known Mr. Medley, ever since he the said Medley came into the Diocese, and was very intimate with him, and that he has the reputation of being a man of a sober conversation, and that he looks upon him to be a man of Conscience. For as to what he afterwards adds, excepting the Business of Simony, instead of affecting Mr. Medley in the least, it doth shew Harris to have been either brib'd and suborned by Lucy, or instigated by his own Malice and Revenge. Whereas then not only the Civil Law, but the Municipal Laws of all Nations, are in cases when Persons come to be Accused, so careful to have their Credits cover'd, as well as their Lives secur'd, as that they will neither admit Witnesses consistent with themselves, nor concurring with others to be believed.*
- The Promot. 12. Witm. ad Interrog. 2.*
- The Promot. 35. Witm. ad Interrog. 2.*
- The Promot. 8. Witm. ad Interrog. 2.*
- The Promot. 16. Witm. ad Interrog. 2.*

lieved, unless they can render a sufficient *causa scientia* reason
 of their pretended knowledge; surely then much less ought
 they to have been Credited, in whose Depositions that had
 been confess'd and acknowledged, which both interferreth
 with, and virtually overthroweth whatsoever else they had
 Sworn unto. For it is a Rule in all Laws whatsoever, and
 particularly in those Ordain'd for the Administration of Eccle-
 siastical affairs, That *Testes, qui adversus fidem testationis suae* ^{Reformat.}
vacillant audiendi non sunt, those Witnesses are not to be believed, ^{Leg. Eccle-}
 in whose Depositions such things are confessed and own'd, as do lie ^{siastic. ubi.}
 in a direct repugnancy to the Crimes which they are endeavouring ^{supra. c.}
 to prove. And the entertainment which such deserve, and
 must expect to meet with at all Tribunals, where there is not
 some thing wanting in those that sit upon them, by which they
 should be rendred Wise, or preserved Honest, ought to be that
 of *ex ore tuo nequam*, because of what you are not able to de-
 ny, you are to be disbeliev'd in whatsoever you affirm. And in-
 deed the Sentence Pronounc'd against the Bishop, for the having
 Simonically preferred Mr. Medley, is both the subject of the a-
 stonishment, and of the ridicule, of all the unprejudiced Cler-
 gy of England and Wales, who say the Metropolitan might
 have pretended as well to Deprive him for Felony or Murther,
 as for Simony in that matter. Yea it is become a Jest amongst
 all those honest Laicks in Wales, who have the advantage of
 being acquainted with Mr. Medley, and of knowing what an
 Upright, Conscientious, and Charitable Man he is. Which
 made a plain, but a sincere Countryman there, to say, that he
 wonder'd how any could suspect Mr. Medley would be guilty of
 a Sin, by which he gave himself to the Devil, when it so e-
 vidently appear'd by and from the whole course and manner
 of his Life and Conversation, that he could have no end in it,
 save the living Religiously towards God, temperately with
 respect to himself, and Righteously and Charitably towards o-
 thers. Nor can we have a greater evidence of Mr. Medley's
 being no Covetous Man, than that he chose to continue in the
 two small Livings of Blethoach and Cascob to which he was Col-
 lated, Anno 1688, both of them not being worth Six Score
 Pound per Annum, by Meyrick's and Haris's Confession, rather
 than to accept another Benefice that the Bishop offer'd him,
 which was above three times the value of them both. And
 that

The Bp's.
11. Wilm.
ad Artic.
4.

that he abhorreth the Sin and Crime of *Simony*, and is even punctiliously scrupulous in reference to things which are in themselves Innocent (or as Mr. Ch. Pryse Vicar of *Lammerth* hath Depos'd, scrupulous and cautious in very small matters, even to a fault) especially when he doth but fancy that they may be constru'd to carry a *Simoniackal View*, is demonstratively evident, from his denying to accept and hold the *Arch-Deaconry* of *St. David's*, and the *Treasurership* of *Brecknock*, unless the *Bishop* would grant and give unto him the *Rents* and *Profits* which were to arise from them, during the *Six Months* that his *Lordship* had held them in *Commendam*. Which tho' it would have been no *Simony* in his *Lordship* to have refused, nor for Mr. *Medley* to have submitted to; yet as Mr. *Medley's* insisting on the having those *Rents* Paid to him, least the *Bishop's* receiving them, should have been thought to carry a *Simoniackal Air* in it, doth undeniably shew, that Mr. *Medley* is a Person who would not be guilty of *Simony*; so the *Bishop's* complying to let Mr. *Medley* both receive and apply those *Rents* to his own use, doth fully declare and uncontrollably manifest, that his *Lordship* would not be engag'd in any Transaction with his *Nephew*, that should either be really *Simoniackal*, or justly suspected to be so.

See the
Bp's. Al-
legat. 3.
March
1699. Al-
legat. 12.

So that having dispatched these two *Premises*, which I take to be very subservient to the Vindication of the *Bishop*, from whatsoever he hath been aspersed and calumniated with, by reason of the *Benefices* he bestowed on his *Nephew* Mr. *Medley*; I am in the next place bound *liberare fidem*, in reference to the *Reflections* I undertook to make upon the *Author* of the *View*. Whereof the *First* shall be to represent him an ill man and an unfaithful Writer; and the *Second* to expose him as one extremely ignorant. So that from both it will appear, that it was neither for his Virtue nor for his Learning, that he had a Title and an honourable as well as a beneficial *Post*, lately conferred on him, but that he is indebted for these to certain recommendations, occasion'd by and grounded upon other qualities. The *First* then shall be to detect and rebuke his insincerity, in Reporting the *Value* of the *Curacy* which Mr. *Medley* had in *Yorkshire*, before he came to *Wales*, which he says was of about 30 l. per annum; whereas he could not be ignorant that Mr. *William Harris* (from whose Deposition I suppose he took this) declared that it was of about 30 or 40 l.

Summary
View,
p. 28.
The Pro-
mor. 16.
Wilm.

a year. But he who a few lines before had made *two* arise to *many*; might think it allowable thus soon after to reduce 40 to 30. Or might usurp a privilege (which no faithful writer would be fond of) of declaring positively that to be 30, which he had the same Authority for calling 40. it being left equally doubtful by the Deposition, whether it was the *one*, or the other. Some may possibly think this of the *Author* of the *View* to be only the prevaricating in such a Trifle, that it ought not to be animadverted upon. But even these may soon see cause to be of another mind, if they will allow themselves to consider, that a *Writer's* being unfaithful in the minutest matter, speaks him liable to the becoming guilty of infidelity in a greater. And that if he be not so, it is rather from apprehension of the shame, than thro' dread of the Offence. And we do find that to be as well called *Felony*, whereof a person being convicted, is only found *guilty to the value of 10 d.* as that is, for which being proved upon him, he comes to be *sent to Tiburn*. For whosoever takes upon him to write History, or to give the Relation of matters of Fact, provided he would approve himself an honest, upright and sincere Writer, he is to avoid departing in the least circumstance, from what he finds to have been: and his integrity as an Author becomes stained and blasted, by his concealing, or by his altering, as well as his forging and inventing. But then as to the *Second Reflection*, that I am to make on the *Author* of the *View*, which is both to *Reprimand* and *Expose* him for his Gross Ignorance. For whereas he doth not only say, that between the Year 1687, and the end of the year 1688, *Mr. Medley was Collated by the Bishop, to two Prebends, as well as to two Rectories*, but says it in such a way and after such a manner, as if he would have the Reader believe, that *Mr. Medley* at one and same time, and together *held and kept those two Prebends* this Writer ought to have known, that in every Cathedral, upon a persons being Collated to a *New Prebend*, the former is immediately and actually void. And as the only prebend, that I find *Mr. Medley* had been Collated to, from between the year 1687 and the end of the year 1688, was that of *Cliddy* in the Collegiate Church of *St. David's*; so on his being preferred to the *Archdeaconry* of that Cathedral, he immediately *Resigned* the said Prebend. Whereof we need no other proof, than that the *Bishop* bestowed it upon *Mr. Charles Pryse*,

The Bp's. *Pryse*, who kept it untill the year 1693 when coming to have the
44. Wilm. *Precentorship* of that *Collegiate Church* bestowed upon him, he
ad Artic. also, voided it, on the same Reason which I have now assigned.
25.

The Pro-
not. 23. *Medley* had enjoy'd them as he did his *Rectories*, viz. conjunctly
ad Artic. 7. and together at one and the same time. For the *Terms* in
 which he deposed are, that upon Mr. *Medley's* desiring about
 the Month of *April* 1699, to borrow 10 l. of him the said
Meyrick, that he had told Mr. *Medley*, he did much wonder,
 how he the said Mr. *Medley* who besides his two *Rectories*, had two
Prebends, and a curial prebend annexed to them in his possession for
 about two years, should want such a Sum. But the *Author* of the
View, should have understood these things better than to
 think it practicable Mr. *Medley* either should, or could have
 done so. And his affirming that he did, tho' he was counte-
 nanced in the saying it by the information and testimony of ano-
 ther, doth no less shew his *Ignorance*, than if he had declared
 it on his own single and alone authority; tho' he may possi-
 bly by that stand more cover'd and excused from infidelity
 and forgery, than he otherwise would. Nor was *Meyrick* a
 man of that reputation for probity and veracity, that his
 Testimony should have implicitly been relied upon, by any
 who lay claim either to Wit and Knowledge, or to honesty.
 But as this is not the only false thing, into the belief whereof
Meyrick and his fellow *Conspirators* against the *Bishop* of *St.*
David's bubbled others, as well as the *Author* of the *View*, which
 a very indifferent degree of Learning, with some measure
 of uprightness and probity, would have secured and preserved
 them from; so there ever were, and will be, a sort of Peo-
Salust. ad ple, qui more magis quam judicio, alius alium sequuntur, who thro'
Cas. custom, rather than judgment, follow others in whatsoever they say
Senec. de or do; and as one expresseth it, pecorum ritu, antecedentium gre-
Vii. beat. gery, which because of the deference, I pay to diverse, I do
 forbear the rendring into English.

But whereas notwithstanding what I have hitherto said,
 whether in the nature and quality of *Premise* or of *Reflection*,
 in way of Return to what was *Premised* by the *Author* of the
View,

View, before he came to insist particularly on the *Simoniackal* acts, that relate to the preferments, to which the Bishop Collated his Nephew Mr. John Medley; there do yet still remain diverse Answers to be given to those things, which are alledged by that *Writer* in the said *premise*, I shall therefore now address my self to the giving them, and shall endeavour, that they may be full, as well as direct and plain Replies thereunto. And forasmuch as the *First* he mentioneth, in order to his possessing the Reader with a belief, that there had been some *Simoniackal* Transactions between the Bishop and Mr. Medley, is that *Summary* instead of the *Yorkshire* Curate's appearing Gay and cheerful, on the *View*, the preferments which had been accumulated on him, he was disturbed *p. 28.* and Melancholly: I have Four things to Reply thereunto. Whereof the *First* shall be, that some thro', and by reason of their natural Constitution, are less Gay and cheerful, than others are; yea and that while some are Naturally inclined to pleasantry, others can hardly avoid the being at all times bordering upon melancholly. And if the difference with respect to the Intellectual Sagacity of one Man from another, doth entirely proceed and arise from the diversity of their Complexions and Constitutions, and from the discrepancy that is between them in their Humours and Spirits, and from that difference which is between them in their whole Bodily Machines; and not from their having Souls, of so much as a Gradual, and much less of a Specific difference; surely much more do the Tempers, Inclinations, Affections and Passions of men, depend upon our external, and especially upon our internal Corporeal Frames. Seeing in these we are far more liable to the impressions and Energies of what is Material about us, than we are in the Operations and Exercises of our Minds. And had the Author of the *View* consulted such as have written as Natural, rather than as Moral Philosophers, concerning the Passions, he might have been not only Instructed, how much we come to differ from one another, with respect to the variety, as well as the degrees of them, but how, and after what manner, and in what ways, our several Passions are excited and modified, by the influences and impressions of our Animal Spirits, Corporeal Humours, and of our whole mechanical frames. And they must be very ill Philosophers who from one mans not being so pleasant, and jocular, as his Neighbour, do take upon them to infer and conclude, that the former doth live loaded with

an apprehension and sense of Guilt, which the *latter* doth not. Secondly I do not find, that this being *Gay*, is one of the qualifications required in those, who are admitted to *Holy Orders*; but instead of that, I do meet with something not very reconcilable to it, ordained to be inquired after in all such, as are called to be *Ministers* of the *Gospel*; Namely that they be *Sober* and *Grave*. For tho' the being either *four*, *morose*, or affectedly reserved and austere, be no commendable qualities in any man whatsoever, and as little (if not less) in Ecclesiasticks, as in others; yet the being *Gay* or *Light*, as they are far from being laudable perfections in any (unless it be in *Buffoons*) so they do very much unbecome persons in sacred *Orders*. And by what I have either read, or observed, a studied spruce-ness in Habit and Attire, and a Jollity in Conversation, have been always accounted great indecencies in such, as are set a part and Consecrated to Minister unto God in holy things. To whom it is more especially enjoined, than it is to others, that they do not only *mind* whatsoever things are lovely and of good report; but that they be *Examples* to their Flocks in their Conversations. But seeing the *Author* of the *View*, will have *Gaiety*, under the present *Metropolitan*, to be an indispensable qualification in a *Priest* or *Deacon*, I shall less wonder, than I used to do, why so many of our *Ecclesiasticks*, study to appear such *Beaux* and *Drolls* as they do. Nor shall I be so much amazed, as I have been, why so many of our Nobility and Gentry in their choice of their *Chaplains*, do prefer those who are adapted to divert them, and to make them sport, before such whose endeavour it would be to render them Chast, Temperate, Just and Religious. Thirdly, that Mr. *Medley* was not so *Gay* in his humour, as the *Author* of the *View* would have had him to have been, and as he knows *Meyrick* and others of the *Promoter's* *Witnesses* to be, may be ascribed to Mr. *Medley's* temperate way of living, in comparison of theirs. And particularly to his not being so frequent a *Guest* at *Taverns* and *Tipling Houses*, nor so liberal a *Drinker* of *Wine* and *Strong Beer*, as the other Gentlemen allow themselves to be. For as some of very extraordinary parts, both natural and acquired, can seldom arise either to strength or vivacity of Thought on any subject whatsoever, without taking a liberal *Dose* of the generous Liquor, which both made *Meymburgh* furnish himself with a Vessel of *Champaign* against his beginning of every new

Book;

1 Timoth.
3. 2. and
Tit. 1. 8.

Phyl. 4. 8.
1 Tim. 4.
12.
1 Pet. 5.
3.

Book ; and causeth a certain very learned, and withall a very sober and vertuous *Divine* now in *London*, to drink more *Wine* on the *Saturday* when he studies his Sermons, than he doth all the Week besides ; so it is very well known, that diverse who are persons of the most, spritely and facetious Wits in the World, do appear notwithstanding to have no *Gaiety* of humour, nor are they able to come up to Airiness and briskness of Conversation, until they have first visited and borrowed some assistance from *Bacchus*. So that even that prodigy of Sense and Wit *Butler*, who wrote that admirable Poem, which is never to be equalled, and much less excelled, *Huidibras*, appeared but a very ordinary man, and far from one of *Gaiety* and facetiousness, untill he had drunk so plentifully of the generous Juice, as would have drowned the Senses, and oppress'd the Understandings of other Men. Which makes it no wonder, that Mr. *Medley*, who used little of what was pressed from the Grape, should be thought by the *Writer* of the *View*, to have been less *Gay*, than himself and others, (who are not so abstemious in that matter, as Mr. *Medley* is) would in his circumstances have been. But then to attribute the want of that *Gaiety*, to a dread Mr. *Medley* should have been under, because of his having been *Guilty* of *Simony*, when it might have been resolved into, and ascribed to his Temperance, argueth this *Author* to have exchanged the charity required in a Christian, for the malice, which Devils as well as the worst of men are represented and character'd from and by. *Fourthly* and lastly, there were such other Reasons and Causes given in proof, for Mr. *Medley*'s having at that time been *Melancholly*, that no honest and upright man would have dared to pretend it to have proceeded from his having been *Guilty* of the Sin of *Simony*. For as Mr. *Charles Pryse* Swore his being morally assured, that the *Melancholly* into which Mr. *Medley* fell for some time, proceeded from a cause very forreign to that of *Simony* ; so Mrs. *Elizabeth Hide* deposed positively upon Oath, That his *Melancholly* was occasioned by the death of a Gentlewoman, whom he had entirely loved and intended to have Married, and that it was thro' grief and sorrow for her Decease that he became so, and not because of any *Simonical Transactions* he had been drawn into. Nor will any be surprized that this should have been the reason of it, if they will but allow themselves to observe how many they

The Bp's.

11. With.

ad Artic. 4.

The Bp's.

23. With.

ad Artic. 4.

have heard of, and possibly may have known, who have not only grown *Melancholly* upon the death of those, whom they have singularly and affectionately loved, but have become distracted. Whereof they who at any time visit *Bedlam*, will find too many deplorable instances. And as it is matter of great thankfulness to God, that he was so soon restored to a perfect serenity and tranquillity of Mind; so his speedy recovery to his wonted composed and sedate frame, is an infallible argument that his Indisposition, Grief and Discomposure, had proceeded from another cause, than an apprehension of his being obnoxious to the Wrath of God; for the having been guilty of so heinous and infamous a sin as that of *Simony*. For as a Spirit wounded thro' sense of Guilt, is the most insupportable load, that any person can come under; so Terrours raised in the mind and Conscience, upon Conviction of sin and Judgment, are Darts and Arrows which stick faster, than to be soon pulled out. And as those wounds pierce deepest in Consciences that are tender; so they are seldom known to be healed, without Confession of the Crimes that occasion'd them, as well as solemn Penitence for them, And as none acquainted with the Conscientiousness, and scrupulous tenderness of Mr. *Medley*, will believe, that in order to his obtaining peace with God, and in himself, he would have been defective in any of the Parts of Evangelical Repentance, had his Grief and disturbance of Mind arisen from his being Guilty of the Sin of *Simony*; so his never having either acknowledged the commission of that offence, nor declared his Repentance for it, may satisfy his very Enemies, that his *Melancholly* and discomposure did proceed (as Mr. *Pryse* expressed it) from a Cause very Foreign to that, and that they were occasion'd by what I have mention'd. And whereas it is said by the *Author* of the *View* upon the Testimony, and from the Deposition of *Wilfray Pyemont*, That Mr. *Medley* was so disturb'd and melancholy, that he refused to go to Church, and that when *Pyemont* pressed him to go, Mr. *Medley* answer'd he could not Pray; I have two things to Reply thereunto, whereof the *First* shall be, the Exposing and Reprimanding the Infidelity and Treachery of this *Writer*, for misapplying and perverting that part of *Pyemont's* Deposition, to a sense, design and end, directly opposite unto, as well as different from those, which that *Deponent* intended: it for.

Prov. 18.

14.

If. 38.

2, 3.

Summary

View,

p. 28.

for. Seeing tho' *Pyemont* Deposed in the words related by the *Author* of the *View*; yet he was so far from saying, that *Mr. Medley's* refusing to go to Church, proceeded from his being *Melancholy*, by reason of his having been guilty of the Sin of *Simony*, that he not only in that very Paragraph Swears, to his neither knowing, nor the having ever heard what was the occasion of *Mr. Medley's* being *Melancholy*, but he positively Deposeth in an other part of his Deposition, that which is directly contrary to his having been *Melancholy*, because of his having committed the Sin of *Simony*; namely, that he believeth the said *Mr. Medley*, to be a *Ibid. ad* very pious, sober and conscientious Person, and such a one, as would *46. Wilm. ad Inter. rogar. 3.* not be guilty of the Crime of *Simony*, or of any other notorious Crime. Now as no Reader of common sense, can avoid from what I have here delivered, the making his own Reflections on the insincerity of the *Author* of the *View*, I shall therefore forbear the making any, and the rather least I should be carried to treat him with the severity, which would not become me to express, how justly and much soever he deserveth it. But then I have Secondly this still farther to reply to what is produced by this Writer of *Mr. Medley's* having been so disturbed and melancholy, that he had refused to go to Church, and had said he could not Pray; Namely, that as nothing doth more than grief and sorrow disorder the mind, and put it out of frame for a right performance of any part of Religious Worship, and especially of fervent Prayer, which requireth both union of thoughts, and intenseness of desires; so it is customary for persons of tender and scrupulous Consciences, as *Mr. Medley* is known to be, to forbear Religious Duties, when they find themselves indispos'd for the performing them as they would and ought. Which tho' it be their infirmity, yet it sheweth them to be far more Conscientious than such are, who provided they can be but present at the publick exercise of Worship, are wholly careless as to their own joyning and bearing a part in it, in the manner and with the spirituality and fervor they should. And therefore from *Mr. Medley's* refusing to go to Church, and from his saying he could not Pray; I shall draw an Inference, directly opposite to that which the Writer of the *View* hath uncharitably and maliciously deduced for it: Namely, that I do take it to be morally impossible, that that man should wilfully commit such a heinous Sin, as that of *Simony* is, who was afraid to engage in the performance.

formance of a holy duty, when he thought himself so much discompos'd and disturb'd, that he should fail and offend in the manner of his performing it. And whereas the *Author* of the *View*, hath further Reported in his foremention'd *Premise*, *Ubi supra* that *William Harris* had often heard *Mr. Medley* wish that he had never come to be Preferr'd, but had stay'd at his Curacy in *Yorkshire*; I do thereunto make this Reply, viz. That as it was spoken by him, during the time of his being discompos'd and disturb'd in his mind, thro' grief and melancholy, when as none who are either Wise or Honest, will lay much stress upon what is said by a man in that condition, and much less construe it to the prejudicing him in his Fame and Reputation; so a reason may be very easily assigned for *Mr. Medley's* having used that expression, viz. That by his having continu'd in *Yorkshire*, he should have escap'd the becoming Enamour'd with that *Gentlewoman*, whose Death had occasion'd his disturbance and melancholy. To which may be further added, that as in the circumstances and condition he then was, the thoughts with which he most frequently entertain'd himself, were such as reflected upon the comforts he had possessed, by his enjoyment of and conversation with his Mother, Relations and Friends, while he had liv'd in *Yorkshire* among them; so it is not to be wondred that in the state of sorrow and discomposure of mind which he was fallen into, he should wish himself again with those, in whose Company, and from whose kindness, he had a tranquility and pleasure administred unto him, whereof he was unhappily then depriv'd. And forasmuch as this *Author*, in order to the fastning *Simony* upon him and the *Bishop*, hath taken upon him to tell us further in the afore said *Premises*, that *Mr. Medley* notwithstanding the accumulation of *Ubi supra* *Preferments* upon him, was always complaining of want of Money; I have this brief, but full and satisfactory Answer to give unto it. Namely, that as those complaints of *Mr. Medley* for want of Money, was soon after his having been Collated to his Benefices, so there were diverse reasons, why it should not have been thought he could so speedily as then, have attain'd to any great Plenty. Nor would any who consider the Expences which are unavoidably incident to long Journies and Removes, and also the Charges that do necessarily attend Mens coming first into Preferments, by reason of Fees, Tents, First Fruits, &c. have

have been surprized at *his saying he wanted Money*, and much less would Persons of the least probity, have resolv'd his complaints of that kind, into *his having been guilty of Simoniacal Contracts*, and the having suffer'd his *Uncle the Bishop, Simoniacally* to enter upon, and to gather the Rents of his Benefices. Besides Mr. Medley had been previously so far in Debt, and which he (being an honest Man) was willing to deliver himself from, and as soon as he could, that it was no marvail he should for some time labour under a scarcity of Money : Nor ought it to have given surprize to any, that he should have complain'd of the want of it. And as I am to give an account very speedily how he came to be so much in Debt as he was, so all that I will here further add, by way of *Answer* unto, and Reflection upon this part, as well as the whole foregoing *Premise* of the *Author* of the *View*, is that he hath shewed himself to be both a Disingenious and Calumnious *Writer*, thro' endeavouring in the way of Consequence, Deduction, and Inference, to fasten so horrid and penal a Crime, as that of *Simony* upon a person, instead of having confin'd himself to the doing it, by and from positive and direct Proof of Facts, as he ought to have done. For the *Writer* of the *View*, especially he being a *Civilian* and an Advocate, should have known, that as there are received and standing *Rules in Law*, That in *Pœnalibus causis benignius Interpretandum*, in Penal Causes we are always to put the most favourable Interpretation upon things that we can ; and that in *dubiiis benigniora sunt præferenda*, in matters which are uncertain and doubtful, we are to take them by the coolest handle, and to put the mildest exposition upon them, which they are capable of admitting ; and that *cum sunt partium jura obscura, Reo favendum est potius, quam Actori*, In all Prosecutions, where the Evidence is not full and clear, we are to favour the Accused, and not the Accuser ; so it is not only the general opinion of the Doctors of the Civil Law, that Probations in Criminal Cases should be infallible and certain, and that none shall be held Convicted upon naked Presumptions, and much less upon far fetched and wrested Inferences ; but they do also declare, That when either *Judex*, the Judge ; or the *procurator fisci*, the Promoter, shall be found to be *affectato consequentes crimen*, using crafty and artful ways, (as those both of Rhetorical Declaiming, and of pretended Logical deductions are) to fasten a crime upon a person, that in such a case the very Judge as well as the

Pro-

Promoter, sunt extraordinarie puniendi, are to be extraordinarily and severely punished.

Summary
View,
p. 28, 29.

Ubi supra,
p. 29.

Now having called this *Author* to an account, for what, previously to his entring upon the *Proofs* of the *Sin* of *Simony* against the *Bishop*, he was pleased to *promise*, I shall proceed to an examination of whatsoever hath been alledged and produced by him, for rendring his *Lordship* guilty of that crime, by reason of the *Simoniackal* pravity, which had accompanied *Mr. Medley's Collations* to the several *Preferments*, to which the *Bishop* Collated him. And as I do find my self abundantly provided, for *Vindicating* the *Bishop* of *St. David's*, from all and every iniquous and *Simonical* thing relating to those *Collations*, whereof he was accused, and for which he was not only defamed by the *Promoter* and his *Complices* and fellow *Conspirators*; but hath been *Judicially Censured* by they great *Metropolitans*; so I do foresee that in the performing of it, I shall have too much occasion administred to me, of being more than ordinarily severe, both upon this *Writer*, and upon diverse others. And with what the *Author* of the *View* begins, I shall also begin, Namely, That *Mr. Thomas Powel* deposes, that in the Month of May 1688, the *Bishop* Collated *Mr. Medley* to the *Prebend* of *Clyddy*, and that he continued *Prebendary* thereof three Years, during which time, he the said *Powel*, by the *Bishop's* Order and directions given as well in Writing as by word of Mouth, received the Rent thereof, being 15 l. per annum, and paid it to the *Bishop*. And that the *Bishop* desired the said Deponent to enquire into the real value of the Corps of the *Prebend*, and how many years of the Lease thereof were expired; and that *Mr. Meyrick* Tenant to the same renewed his Lease, and brought 15 l. part of the *Fine* set thereon to the *Bishop's* at *Abergwilly*, which he would have paid to *Medley* but the *Bishop* forbade it, and ordered it to be paid to him the said *Thomas Powel*, and that he accordingly received the same, and did afterwards paid it to the *Bishop*. In my giving *Answers* hereunto, I have diverse things to say, whereof the *First* shall be, to beseech the Reader, that he would be so just to himself, as to remember the account and Character which I have already given of this *Powel*, in that he will thereby be both preserved from entertaining an ill opinion of the *Bishop*, by reason of any thing that the said *Powel* either said or Swore against him; and will also be the better prepared, for receiving what I have to offer in justification of his *Lordship* from what

what that fellow deposed for the blackning of him. And whosoever doth but allow himself to observe, how this *Powel* directly *forsook* and *Perjur'd* himself, in that very part of his *Deposition*, which the *Author* of the *View*, as I have just now transcribed it from him, hath been pleased to give us, will be not only confirmed in his belief of the foremention'd *Character* of *Powel* that hath been given; and withall convinced that he was too *infamous* to have been admitted for a *Witness* against the *Bishop*; but it will also give us a new discovery of the insincerity and infidelity, as well as of the weakness and impertinency of the *Author*, in offering to asperse and defame the *Bishop*, upon a *Deposition* which he could not escape the discerning to be fraught with *Contradiction* and *Perjury*. For whereas *Powel* Deposed upon Oath, that Mr. *Medley* continued *Prebendary* of *Clyddy* three years, and that during that time, he the said *Powel* by the *Bishop's* Order received the Rents thereof, the *First Part* of this is altogether *False*, and consequently it is impossible that the *latter* should be *True*. And whosoever will but vouchsafe to look into *Powel's* *Deposition*, or into the Account given from it by the *Author* of the *View*, will at once discover how *Powel* both *contradicted* and *forsook* himself, and also see with what impudence as well as weakness, this *Writer* hath endeavour'd to obtrude undeniable contradictions and Perjuries upon the World, for authentick Testimonies, and Legal Evidences. For it being directly and positively Deposed by *Powel*, That the *Bishop* Collated Mr. *Medley* to the *Prebend* of *Clyddy* in the Collegiate Church of *St. David's* in the Month of May 1688. and that the said *Bishop* Collated the aforesaid Mr. *Medley* to the *Archdeacons* of *St. David's* about Michaelmas 1690. by reason whereof the foremention'd *Prebend* became immediately actually voided; and it being likewise acknowledged by this *Writer*, that it was in May 1688. When the *Bishop* Collated his Nephew to *Clyddy*; and that it was about Michaelmas 1690, when he collated him to the *Arch-Deacons* of *St. David's*, it demonstratively followeth from what the former Deposed and from what the latter hath confessed, that it was absolutely impossible either that *Medley* should have continued *Prebendary* of *Clyddy* for three years, or that *Powel* should for the space and during the time of three years have received the Rents thereof and have paid them to the *Bishop*. All which as that Fellow swore, and thro' doing it hath *Perjur'd* as well as

The Pro-
mot. 29.
Wim. ad
Artic. 6,
and 7.
Id. ibid.
ad Artic.
1, 2, 3, 4.
Summary
View,
p. 29.
Ibid. p. 31.

contradicted himself; so the *Author* of the *View*, thro' his having taken upon him to declare and Report it for what was *True*, as well as *Consistent*, hath betray'd not only great *inadvertence*, but as *Great impudence*. For as I hope there is no need of my telling men, that no fewer than 36. even *solar Months*, are required to make up *Three Years*; so I take it for granted, that none, who have not either thro' the violence of their malice, or because of some distemper affecting their heads, lost their senses, but do sufficiently Understand, that there neither are nor can be more, than 28th Month's between *May 1688* and *Michaelmas 1690*. which instead of amounting to *Three years*, do only make *Two years* and a little above a quarter. But admitting that Mr. Medley was not Collated to the *Archdeaconry* of *St. David's* untill the latter end of *October*, or sometime in *November 1690*, as I have reason to think he was not, because of *Meyrick's* not renewing his *Lease* untill *October*, and that when he did it, Mr. Medley was *prebendary*, which he could not have been, had he received his *Collation* to the *Archdeaconry* the *Michaelmas* before, nor was it indeed possible he should, in that Dr. Owen the former *Archdeacon* was not then *Dead*; yet even on that supposition and allowance, the longest time Mr. Medley continued *Prebendary* of *Clyddy*, was only *two years and a half*, which doth no less evidence both the *contradiction* and *Perjury* which were in *Powel's* Deposition, and also the *inconsistency with Truth* in the Report and story given us by the *Writer* of the *View*, than if Mr. Medley had been *Collated* to the *Archdeaconry* at *Michaelmas*. Nay thro' allowing this to be a true account of that matter of Fact; yet instead of thereby either relieving *Powel* from his having *Contradicted* and *forsworn* himself; or of vindicating the *Author* of the *View* from having *Reported* things with less *sincerity* and *exactness*, than any man of ordinary prudence and probity would have done, we have a fresh proof afforded us, how inadvertently and how much at random, the one *Wrote*, and the other *Swore*. But then *Secondly* I have this further to *Answer* and particularly to that part of *Powel's* Deposition, of his having been *Order'd* by the *Bishop* to receive the *Rents* of the *Prebend* of *Clyddy*, and of his having *Paid* them to his *Lordship*; namely, that as this doth not in the least amount to a proof That they were received for the *Bishop's* use; but doth only shew and express the care, which the *Uncle* had, that his

Nephew

Nephew might neither be defrauded by cunning men, nor cozen'd with false Money. To both which, a person who so little either knew the World, or understood *Coin*, as Mr. *Medley* did, may very well be conceived to have been liable. And that the *Rent* of *Clyddy* by whomsoever it was received, or to whomsoever it was by the said Receiver paid, was nevertheless applied to Mr. *Medley*'s use, appeareth not only by diverse Depositions upon Oath before the *Metropolitan*, but before a *Civil Judge* at the *Affizes* at *Carmarthen*. Moreover I have this *Thirdly* to Answer, and particularly to that of the Bishop's having desired *Powel* to enquire into the real value of the Corps of the *Prebend* of *Clyddy*, and how many years of the *Lease* thereof were expired; that nothing of all this should have given the least suspicion of any *Simoniackal* Contracts between his Lordship and Mr. *Medley*. In that there was so just and honest reason to be assigned for his doing it, that the omission and neglect thereof, would have both been a wonderful oversight in the Bishop, and a great failure in his kindness and Friendship to his *Nephew*. For having in view, yea having resolved the Collating of Mr. *Medley* to the *Arch-Deaconry* of *St. David's*, it was but reasonable that previously thereunto, he should afford him all the advice and assistance he could, towards the Raising whatsoever he Legally and Honestly might from his *Prebend* of *Clyddy*, which upon his Preferment to that *Arch-Deaconry*, he would be oblig'd to leave. And as it was very Lawful upon an expiration of Six years of the *Lease*, to take care it should be Renewed; so it was but a Justice he owed his *Nephew*, to get it Renewed before that he came to void the *Prebend*. Further I have this *Fourthly* to say, and that in Answer to *Powel*'s having Deposed, how upon *Meyrick's* having renewed his *Lease*, and his having brought 15 *l.* part of the *Fine* set thereon to the Bishop's at *Abergwilly*, which he would have paid to Mr. *Medley*, the Bishop forbade it, and order'd it to be paid to *Powel*; which is that there is nothing in all this, that either doth directly fasten the Sin of *Simony* on the Bishop, or could before impartial and unprejudiced men, have so much as from that laid him under the suspicion of it. Nor can they in my opinion be honest men themselves, who will ascribe the saying or doing this or that to a wicked motive, or to a criminal cause; when such as are good, virtuous, and justifiable, are obvious and in view, upon which they

Ch. Pryse,
the Bp's.
11. Witn.
Robert
Douglas,
the Bp's.
47. Witn.

might have been said or done. And it is a barbarity hardly to be paralleled, to make *any man*, and much more so to make a *Bishop* an *offender*, by reason of and in the Vertue of a *Conclusion* or *consequence* drawn from a meerly supposed *Antecedent*, or barely imagined *Premisses*. For either Humanity, or Morality, preclusively of all Christianity, would have instructed people, not to have believed that to have proceeded from a wicked Cause or Principle; which by and upon fair Reasoning, may as well be concluded, to have sprung from Principles of discretion and Wisdom, and to have been said or done upon just and honest Inducements. And forasmuch as the *Bishop* knew *Meyrick* to be such a *Sharper*, i. e. such a dishonest man, as that he would neither make conscience of paying *Medley* to the full or in good Money, but that he would be ready to cheat him with respect to the *quantity* as well as the *quality*; his *Lordship* therefore in great prudence forbad that *Meyrick* should pay it to Mr. *Medley* himself, and order'd *Powel* to receive it. Nor can I in the *Fifth place* omit taking notice how that *Meyrick* is both known by *Powel*, and reported by the *Author* of the *View*, to have been *Lessee*, or *Tenant* in and to the *Lease* of the *Corps* of the *Prebend* of *Clyddy*; whereas in reality and fact Dr. *Jones* was the *Lessee*, and all that *Meyrick* did, was only in Trust for Dr. *Jones*. And this having been Deposed by *Powel* himself, and thereupon very well known to the *Writer* of the *View*, as it sheweth us with what carelesness and inadvertence, as well as malice and rage the *former* Swore; so it convinceth us what an unthinking and weak, as well as an unsincere *Author*, the *latter* is. Whereunto I might add *Sixthly*, that as Mr. *Medley* hath acknowledged that whatsoever the *Bishop* did in that affair, was upon his the said *Medley's* desire, as well as with his consent; so Mr. *Medley* was truly and *bona fide* under such Debts, to his *Uncle*, that neither his allowing the *Bishop* to receive the *Rents* of *Cliddy*, nor his consenting afterwards to his *Lordship's* gathering the Profits of some of his other *Benefices*, could speedily either reimburse the *Uncle*, or discharge the *Nephew* from the debt he was owing. And of this we shall hereafter give such an account, as will fully satisfy all the reasonable and Virtuous part of mankind, that the *Bishop's* intermeddling with any of the *Rents*, which were to arise and accrue to Mr. *Medley* from his Ecclesiastical pre-ferments,

Ubi supra,
ad Ariis.
6 and 7.

preferments, proceeded not from *Simoniackal* Contracts between them; but was occasioned by reasons and causes, which as they were very Foreign to those, so they are sufficient for justifying of his *Lordship* from all that is criminal, in whatsoever he is reported to have done. Nor could he because thereof, have been suspected guilty of *Simony* by any, unless by a company of ill men and avowed Enemies, who had villanously conspired both to defame and to ruine him; and much less could he have been condemned as one that was so, and thereupon laid under a severe and opprobrious Sentence; save by persons who had abandon'd Justice for revenge, and made their power and authority subservient and Ministerial to their pique and hatred. And in relation to the proceedings against him, of those of one denomination and quality, as well as of another, I think his *Lordship* may not only comfort himself with that of *Seneca*, That *mala opinio bene parta, delectat*; but much more with that of *St. Austin*, that *quisquis detrahit famam meam, addit mercedi*. Nor will I at present say more with respect to that matter, than that the *Bishop* of *St. David's* being a person, who was *contemnendis Tacit. hostibus, quam cavendis melior*; more forward to despise, than to be Hist. aware of his Enemies; he was therefore *conspiratione inimicorum, Lib. 3. et. invidia falsi criminis oppressus, thro' their conspiracy against him, Id. Annal. Lib. 3.* and under a false accusation, the more easily ruin'd.

So that having Examined what the *Author* of the *View* had Alledged from *Powel's Deposition*, for the fastning of *Simony* upon the *Bishop* in the matter of Collating his Nephew *Mr. Medley* to the *Prebend* of *Clyddy*, and having made it appear that there was nothing in that *Deposition*, by which his *Lordship* could be Criminally affected; I shall proceed to the taking into consideration, what this *Writer* hath produced out of a *Deposition* of *Mr. Meyrick*, towards the proving of that Crime in reference to the said *Prebend* upon the *Bishop*. Which is, That *Mr. Meyrick* being Tenant of the Corps belonging to the *Prebend* of *Clyddy*, *Summary View, P. 29.* *Mr. Medley* *Prebendary* thereof, did about April 1690, come to *Meyrick's* and discourse him about the Renewal of his Lease, and came to this Agreement, that *Meyrick* should Pay for it 25 l. and that *Medley* Sign'd and Seal'd the Agreement, but before he would deliver it, an Endorsement was made that the Contract should not be good, unless the *Bishop* should approve thereof, and that *Mr. Medley* at the same time Borrow'd 10 l. of *Meyrick*; upon which

which Meyrick discoursing him, how it could be, that he, who had had two Rectories, and two Prebends for two Years, worth 150*l.* per Annum, could want such a Summ, Medley answer'd, that it was better with him when he was a Curate in his own Country in Yorkshire. And that Medley sent a Letter to Meyrick the 7th of May following, importing that the Bishop would by no means consent to Renew the Lease upon the Terms agreed between him and Meyrick. But that in October following, he the said Meyrick went to the Bishop, who finding that Meyrick would not advance the Fine, agreed to take the 25*l.* and order'd the remaining 15*l.* (the 10*l.* Lent to Medley being deducted) to be brought, which was accordingly done, and Meyrick was about to Pay it to Mr. Medley, which the Bishop seeing, call'd out, and told Meyrick that Medley could not Count Money, and Order'd Mr. Powel to Receive it, to whom Meyrick accordingly Paid it. Now by way of Answer, to what hath been here Reported by the Writer of the View, from and upon Meyrick's Deposition, I have diverse things to say. Whereof the First shall be, to put the Reader in remembrance of the Character which we have already given of this Meyrick, in and by which we have made him appear, to be so ill and so infamous a Man, as that he ought not to have been admitted for a Witness against any Person whatsoever, and more especially not against the Bishop of St. David's. To which I shall in the Second place add, that this very Deposition of his produced by the Author of the View, is enough to give us still farther Information, and fuller Assurance, that he is such a one, to whom no Credit should have been given, in what he did either Say or Swear. In that whereas he hath Deposed upon Oath, That he was Tenant and Lessee to the Corps belonging to the Prebend of Cliddy; we have already made it appear by and upon the Testimony of his own Complice and fellow Conspirator Mr. Thomas Powel, that he was not properly and in the Account and View of the Law either the Lessee or the Tenant, but that Dr. Jones was so, and that Meyrick acted only in Trust for the said Doctor. Thereunto I might subjoyn in the Third place, that whatsoever hath been said in Answer to Powel's Deposition, (how that no Simony had been formerly and directly Sworn unto, but only mention made of some carriages and actions of the Bishop's, from which ill and malicious men might conceive a jealousy, of his having been guilty of it) is all here equally applicable to what Meyrick hath testified

The Promot. Witn.
ad Artic.
8 & 9.

testified upon Oath. Forasmuch as there is nothing in his whole Deposition, that amounteth to a proof of *Simony*, there being only some facts and occurrences in his *Lordship's* behaviour assigned, from which his Enemies might have the malice to raise a suspicion of it. But if Persons come once to be condemned for things, which do at the most only administer ground of jealousy to such as hate them, that they may have offended; we may then bid *adien* to Justice in the World, and to take it for granted, that all the security which men can have for their Reputations, Estates and Lives, will be merely precarious: and that they who are most Innocent, must in whatsoever is valuable, stand exposed, and be made obnoxious to the loss and forfeiture thereof, upon the opinion of those who bear enmity to them. Whereunto I have this *Fourthly* to add, that the *Bishop's* known circumspection in the conduct and œconomy of his affairs, so as not easily to suffer himself to be defrauded or cheated, may abundantly convince us, that his *Lordship* would never have agreed to so foolish a *Bargain*, as Mr. *Medley* had made with *Meyrick*, about the *Fine* for the *Lease* of the *Corps* of the *Prebend* of *Clyddy*, had the damage been to have centred and terminated in himself, especially seeing it had been provided by an *Endorsement* on the back of the *Agreement*, that the *Contract* should not be good, unless the *Bishop* should approve thereof. And a weak, if not a foolish *Bargain*, I may surely call it; because in the judgment of diverse persons, the *Fine*, instead of having been concerted at 25 *l.* should have arisen to near 50 *l.* and there were several who would have given considerably more, than what *Meyrick*, as in *Trust* for Dr. *Jones*, had agreed to pay. Nor ought I here to omit the giving an account, what the *Bishop* said upon his consenting to Mr. *Medley's* accepting the 25 *l.* that he had Contracted with *Meyrick* for, namely that tho' Mr. *Medley* had made a *Bargain* contrary to his advice, yet he would not endeavour to break his foolish *Bargains*. This I do acknowledge *Meyrick* hath forbore taking notice of in his Deposition, (and thro' neglecting to do it, hath shew'd his being too Faithless as well as Partial, to be esteem'd a Competent Witness) but instead thereof hath only told us, that the reason why the *Bishop* gave his *Consent* to the taking 25 *l.* was because he the said *Meyrick* would not advance more. Nevertheless,

less, as I do positively affirm the *Bishop's* having spoken the words I have now reported, and his having given what they imply for the reason of his agreeing to Mr. *Medley's* taking the 25 l. So from his *Lordship's* having spoken thus to *Meyrick*, and on the design, and to the purpose I have mention'd, I may not only very reasonably conclude, that the whole concernment of the *Bishop* in that affair, was the preventing a *Young Man* who was his *Nephew*, from being Bubled and Cheated, by such an old *Sharper* as *Meyrick*, acting in Trust for Dr. *Jones*, was too well known to be ; but I may also very confidently instruct the Reader, upon what *motive Meyrick* omitted inserting those words of the *Bishop* into his *Deposition*. Namely, because in case he had done it, the whole which he *Swore*, would have had an other *View* and *Aspect*, than he intended it should ; and instead of leading Men into a belief, that the *Right* to the *Rent* of the *Prebend* of *Cliddy*, and to the *Fine* arising by the *Lease* of the *Corps* thereof, was in the *Bishop*, it would have given them to understand, that the *Bishop* own'd the whole *Right* and *Sole Title* to that *Prebend*, and the full *Power* and *Authority* of *Depositing* about and concerning it, to have been Legally in Mr. *Medley* alone; and that whatsoever his *Lordship* took upon him to do in relation thereunto, was by way of *Councelling* and *Advicing* a *Relation*, who had but little knowledge of, and less experience in the affairs of the World. But then *Fifthly*, I have this further still to say in way of *Answer* to what is Alledged by the *Writer* of the *View*, for fastning *Simony* on the *Bishop* by and from *Meyrick's* *Deposition*, namely, that his *Lordship's* permitting *Meyrick*, to deduct the 10 l. (which he had Lent to Mr. *Medley*) out of the 25 l. which he was to Pay for the *Fine* set on the *Lease* granted on the *Corps* of *Clyddy*, may fully satisfy all that are not strangely prepossessed and prejudiced, that as the *Right* and *Title* thereunto belonged entirely to Mr. *Medley*; so it may also abundantly convince them, that the *Bishop* did not further interpose in that matter, than what was Needful as well as Lawful for a Wise man to do, in order to the hindring so near a *Relation* as Mr. *Medley* is, and one whom so affectionately Loveth, as he doth him, from being impos'd upon and cozened. Moreover I have that *Sixly*, to add, which will at once both inform us, why the *Bishop* stood concerned to advice Mr. *Medley*, to get as high a *Fine* as he could for the *Renewal* of the *Lease* of the *Corps* of the *Prebend* of *Clyddy*; and will also

also give us an indisputable ground of assurance, that the propriety of the Rents of that *Prebend* was solely and entirely in Mr. *Medley*. And it is this, that Mr. *Medley* having in the Month of *May* 1688, been *Collated* by the *Bishop* to the *Prebend* of *Clyddy*, did not only on the 24th of *January* following Borrow of one Mr. *Rowlands* the Sum of 77 *l.* giving him a penal *Bond* of 160 *l.* for the payment thereof; but he did likewise make over and convey to the said Mr. *Rowlands*, as a further and real *Security* for the said 77 *l.* a *Right* and *Title* in way of *Mortgage* to the *Prebend* of *Clyddy* and to whatsoever should arise to him the said Mr. *Medley* by and from the thereof. Wherefore as he would not, nor could have done the latter, had the *Bishop*, by means of, and thro' any *Simoni- cal Contract*, had any *Right*, claim, or *Title* thereunto; so Mr. *Medley's* being so much in *Debt* to Mr. *Rowland's* as he was, and upon the *Security* I have named, might very well both Justify the *Bishop* in advising Mr. *Medley* in the year 1690 to insist on the getting as high a *Fine*, as he could, for the *Renewal* of the *Lease* of the *Corps* of the said *Prebend*; and may also let us into the Reason, why the *Bishop* called Mr. *Medley's* agreeing to take 25 *l.* a foolish Bargain, when he might have had more, and likewise very much needed it. *Seventhly*, Whereas it is not only alledged against the *Bishop*, That when *Meyrick* was about to pay the remaining 15 *l.* to Mr. *Medley*, his Lordship forbade it, and order'd Mr. *Powel* to receive it; but it is also brought as a *Proof* of a *Simoniackal Contract* between the *Uncle* and *Nephew* in relation to the *Prebend* of *Clyddy*; there needs no other Answer to be given thereunto, nor is it necessary to say any more in vindication of his Lordship, and of Mr. *Medley*, from the calumnious aspersion and defamation, raised and inferred from thence against them; than what both *Meyrick* confessed upon Oath, and the *Writer* of the *View* hath reported out of his Deposition, as the Reason given by the *Bishop*, for his forbidding the one, and ordering the tother, viz. That Mr. *Medley* could not count Money. Nor ought the *Uncle's* declaring his *Nephew*, as well unskilful to reckon Money, as unqualified to distinguish bad from good, give surprize to any, who will but allow themselves to observe, how many there are of all Ranks and Conditions, whom the same imperfections do accompany. And were it a reproach to a Clergyman, that he is neither ready and exact in Telling Money,

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nor skilful and accurate in *discerning* between what is *pure*, and what is *embased*; there are many other *Ecclesiasticks*, liable to have that ignominy charged upon them, as well as Mr. *Medley*. And should no one be accounted to have a Claim and Right to Rents and Payments, save such (tho' adult) as can avoid being imposed upon, in their receiving them; there are many both of very good sense, and of large Fortunes, whose Titles to Estates, and unto Debts owing to them, would be very much weakned, if not wholly overthrown. And whether the *Metropolitan's* admitting such allegations as these, to come into proof against the *Bishop* of *St. David's* for convicting him of *Simony*, do most reflect upon his Understanding, or his Conscience, I will not take upon me to determine; tho' I cannot forbear saying, that it hath given the World a strange Idea of his *Grace*, as to the *one*, if not *both* of them. Finally, and in the *Eighth* place, I am yet further to add, that there had been those *Legal* and withall *Innocent* Transactions between the *Bishop* of *St. David's* and Mr. *Medley*, that his *Lordship's* having had the Receiving the *Rents* and *Profits* of some of Mr. *Medley's* *Benefices*, made over and convey'd to him for such a certain time, that all things should have been *loquidated* between them, ought not to have undergone the least misconstruction, nor should it to have rendred the *Bishop* obnoxious to a suspicion of being guilty of *Simony*. And because a due unfolding of this, will wonderfully conduce to the setting these matters in such a light, as that all impartial men must be forced, both to pronounce the *Bishop* *Guiltless* of this *Crime*, whereof he was accused, and for which he was censured; and likewise acknowledg with how much hatred and malice, and with how little regard to the Rules and Measures of Righteousness and Justice, some people behaved themselves in the management of the *Process* against him; I shall therefore apply to the doing it with all the accuracy and perspicuity I can, and that in a *Paragraph* by it self. And I do here before my entrance upon it, solemnly promise to Govern my self with that alienation from men, and with that single respect to Truth, which ought to be expected from every Writer, who would not offend and provoke God; de-file and dishonour himself; nor deceive and impose upon the World.

And

And in order to the rendring what I have now declared undeniably certain, and demonstratively evident; I desire it may in the *First* place be observed, how it stands *Deposed* by many *Witnesses*, that the *Bishop's* intermeddling with, and his receiving the *Rents* of some of Mr. *Medley's* *Benefices*, was not by reason of any *Simoniackal Contracts* between them, but in consideration of *Summs* of Money, which had been really *Lent* and *Laid* out by the *Bishop* unto and for *him*. For besides the many Testimonies produced before, whereby it hath been made appear, that Mr. *Medley* was held and esteem'd for a Person of such Virtue and Piety, that he would not be guilty of any notorious Offence, and much less of the Crime of *Simony*; it was positively and expressly Sworn, that the *Bishop* had several times for Mr. *Medley's* use and benefit, and often at his entreaty and desire, disbursed *Summs* of Money for him; and that the said Mr. *Medley* being thereupon become *bona fide* indebted to his *Lordship*, had not only given and executed Bonds for the *Repayment* of the said *Sums*; but that as soon, as thro' his having been promoted to such and such Ecclesiastical preferments, he was in a condition *liberandi fidem, et solvendi debita*, of performing his engagements, and of paying his Debts; he had immediately Granted a power and Authority to the *Bishop*, for the Gathering and receiving such and such parts and proportions of the *Rents* and Emoluments of some of his *Living's*, as might be for and towards his *Lordship's* being paid and reimbursed, what he had Lent unto, and disposed in behalf of Mr. *Medley*, and for his use. Nor with men of good Sense, will any thing more acquit and Justifie both the *Uncle* and *Nephew*, from the having been Guilty of any *Simoniackal* Transaction; than that all this was done with that openness, that it was; and that so little circumspection was used, for the concealing and covering it from their worst Enemies. Seeing in all Cases whatsoever, wherein men come to act criminal-ly, their care is to have matters managed with all the darkness that is possible. And it is as evident to me, as any proposition in *Euclide* can be, that had the *Bishop* of St. *David's* been conscious of any ill thing between *him* and his *Nephew* Mr. *Medley*, he would have behaved himself more covertly in

Tho. Griffith *Gent.* the Bp's.
32. *Witm.* Will. Williams *Gent.*
the Bp's. 43. *Witm.* Ch. Pryse *Cl.*
the Bp's. 44. *Witm.* Walter Wat-
kins *Cl.* the Bp's. 27. *Witm.* Mrs.
Eliz. Hide, the Bp's. 23. *Witm.*

that affair, than he did. So that I cannot avoid affirming, that what his Enemies made the Ground of accusing and Censuring him, ought to have fully vindicated his Innocency: and will undoubtedly do so with all such who are persons of Judgment and probity, or who are not strangely prepossessed and prejudiced.

Whereunto let me subjoin in the *Second* place, that their neither was, nor could be, any *collusion* or deceit between the *Uncle* and the *Nephew*, either with respect unto the *Summs*, said to have been *Lent* unto, and *laid out* for Mr. *Medley*; or with relation to the *Bonds*, which had been *Given* by him to the *Bishop*; but that all concerning and relative to the *one*, and the *tother*, was in reality and truly so in Fact, as was affirmed. Nor was this only made demonstratively apparent, and undeniably certain, as well both by and from the *Bishop's Exhibits*, and *Bonds Signed, Sealed and Executed* before competent Witnesses by Mr. *Medley* to his *Lordship*; but the whole was likewise Sworn unto and confirmed by several persons of unquestionable reputations. In giving the Relation and Detail of all whereof, as I shall begin with the *Bishop's Exhibits*; so it will from them not only plainly appear, what the several *Summs* were which his *Lordship* had either expended upon and disbursed for; or had Lent, or procured the Loan of to Mr. *Medley*; but it will be made also manifest, upon what occasions, and to what uses and purposes the said several and particular ensuing *Summs*, had been Lent or Disbursed by the *Uncle* unto and for the *Nephew*. All which having been represented to the *Metropolitan* in *Two Schedules* marked *A. B.* I shall here annex them in the *Order* that they had been stated and Setled between the *Bishop* and Mr. *Medley*. And shall therefore begin with that which was adjusted the *Fifth* of *August* 1691. which is as followeth.

Schedule

Schedule A.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Impr. A Bond of 80 <i>l.</i> for payment of 40 <i>l.</i> } and Interest from May 1681-----	64	00	00
Item. Lent him for Journeys to Bugden and } Peterborough for Orders.-----	5	00	00
For his Mr. of Arts Degree and Gown-----	18	00	00
Paid for his Board for Six Months.-----	6	00	00
For the payment of the First Fruits of his Living } and Prebend.-----	45	19	11
Paid to Mr. Douglas by Mr. Medley's Order.-----	1	05	00
Paid to Mr. Lambert at Hull by his Order.-----	10	00	00
Paid to his Taylor's Widow.-----	6	02	06
Paid to Mr. Rowland upon a Bond of 77 <i>l.</i> and } for Interest from Jan. 2. 1688.-----	86	00	00
<hr/>			
Total	242	07	05

The Second Schedule which is that B. and had been settled the 21 of Sept. 1695. is as followeth.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Paid in his behalf for Tenths.-----	4	14	01
Paid to himself at several times.-----	59	03	04
Paid to his Mather by his Order.-----	122	05	10
Paid for the First Fruits of his Arch-Deaconry } and Prebend.-----	82	17	02
To his Brother Pryse as part of Sister's Portion	100	00	00
To his Bro. Powel as part of his other Sister's Portion	124	00	00
Indebted for Synodals.-----	5	00	00
For a Cloath Gown and Cassock.-----	7	15	00
<hr/>			
	505	15	05
<hr/>			
	242	07	05
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Total	748	02	10

Now

Now it cannot but give great surprize to all persons, who are impartial and unprejudiced, that credit should not have been given to those *Exhibits* of the *Bishop*; and the rather if we do consider that all the *particulars* therein mention'd, were *Stated* and *Settled* between the *Bishop* and Mr. *Medley* before sufficient and legal *Witnesses*. For not only Mr. *Pryse* Precentor of the Cathedral Church of St. *David's* sweareth to his belief, of Mr. *Medley's* having been *Indebted* to the *Bishop*,
 44. *Winn.* in and for the several *Summs* named in the Two *Schedules* A. and B.
 ad *Artic.* (which is also *Sworn* by Mrs. *Elizabeth Hide*) But *Wilfray Pye-*
 5 and 6. *mont* hath *Deposed* positively upon *Oath*, both to his know-
 The Bp's. ledge of Mr. *Medley's* hand, and that the *Schedules* marked A. B.
 23. *Winn.* were totally written and subscribed by and with the proper hand-
 ad *cofd.* writing of the said Mr. *Medley*; and hath likewise directly
Artic. Sworn to the *Stating* and *Settling* the accounts contained in
 The Bp's. the said *Schedules*, and that as that in the *Scedule* A. was adjust-
 46. *Winn.* ed and perfected in the presence of him the said *Pyemont*, and of
 ad *Artic.* William *Jones*, and of *Walter Watkins*; so that that in the
 6. and ad *Interrog.* *Scedule* B. was transacted and done in his own and Mr. *David Ro-*
 The Pro- bertsons presence. And how that thereupon, as William *Jones* also
 mor. 4. who is one of the *Promoters* *Witnesses*, *Deposeth*, Mr. *Medley*
Winn. ad gave *Bonds* to the *Bishop* for the *Payment* of the several *Summs*,
Artic. 3. therein mention'd to his *Lordship*.

Further I desire it may in the *Third place* be carefully observed, that there is no one thing in the foremention'd *Exibite* of the *Bishop's*, which was not either admitted by the very *Metropolitan*, or which hath not been fully and undeniably proved by *Authentick* *Witnesses*. For as his *Grace* of *Canterbury*, with the approbation of those who were *Assessors* to him, did allow the *Payment* by the *Bishop* in Mr. *Medley's* behalf, of the *First Fruits*, *Tenths* and *Synodals*, which are mention'd in the two aforesaid *Schedules*, so all the *Particulars* before, that are therein named, have been *Sworn* unto by diverse persons of unquestionable *Reputation*. And that some of them stand *Related* to the *Bishop* and the *Arch-Deacon*, either in the way of *Consanguinity*, or of *Affinity*, should have been so far from having been accounted to *Detract* from the *Truth* and *Validity* of their *Testimonies*, that it ought to have been esteemed to have added very much to the weight and credit of them. In that none can be supposed to know so much, or with that certainty, of *Transactions* between an *Uncle* and a *Nephew*, as they who are
 Kindred,

Kindred, Relations and Friends, of the one and the other. And as such (allowing them to be persons of Probity and Virtue, as those whom I shall have occasion to mention, uncontrollably are) as they ought to have been believed in whatsoever they Deposed, preferably to all others; so every thing which they Swore unto, ought to have been the more readily received, and the more fully relied upon, because of its having been confirmed and attested, as well as confessed, by such who were the Bishop's and Arch-Deacon's known Enemies, and who had nevertheless gotten into an acquaintance with their affairs. Nor need I do more towards the setting all this in a full and clear light, save to call over a few Depositions, out of many, to this purpose. And Mr. Medley's Mother being the fittest Person of any, not only to Depose what had been remitted and Paid by the Bishop, on her Son's desire, and by his order, either to her self, or to Mr. Lambert; but what had been Advanced and Paid by his Lordship, in behalf of, and at her Son's request, on diverse other accounts; I shall therefore begin with her, and out of many things she hath Sworn unto; relate such, as I think are most needful to be laid before the Reader. Namely, that she Susannah Medley Mother of the Arch-Deacon, hath not only Sworn to whatsoever was exhibited by the Bishop in the Schedules A. and B. as Paid by his Lordship to her, and to Mr. Lambert at her Son's entreaty, and by his appointment; but she hath also Sworn both to the 100 l. which her Son was to Pay to Mr. Pryse, in part of his Sister Elizabeth's Marriage Portion, and also to the 200 l. which her Son had likewise undertook to Pay to Mr. Powel, in part of the Marriage Portion with his Sister Hannah, and that her Son not being in a condition to raise and pay the said respective Sums, so soon as they were to have been paid; how that the Bishop thereupon had at her Sons request, advanced and paid the Sums mention'd in the aforesaid Schedules, as paid to and for the said uses and purposes. Yea further she the said Susanna Medley Mother to Mr. John Medley doth not only Swear positively to her Sons being indebted to the Bishop, for Moneys paid by his Lordship on his account to Mr. Rowland's but She hath likewise deposed upon Oath, how that on her asking of her Son concerning his Uncles behaviour towards him, and in what condition matters stood between them, that her Son had both told her, how very just his Lordship had been to him, in giving him an account what Rents and Profits he had received out of and from his the said

The Bp's.

14. Wim.

said Medley's preferments, towards his Lordship's reimbursement of those Sums, which he had Lent unto, and laid out for him; and that he had likewise declared unto her his Mother, that he was still in the Bishop's debt. Whereunto it will not be amiss to subjoyn what hath been Deposited by Mrs. Elizabeth Hide, who thro' living with his Lordship, and by being so nearly Related both to Him and to Mr. Medley, as she is, was the more likely to be acquainted with Transactions and Concerns between them, than it was probable that others should; and who ought accordingly to have had a distinguishing belief and credit given to what she said upon Oath, especially being a Gentlewoman of great Virtue and Probity. Now this Mrs.

The Bp's. 23. Wm. Hide doth not only Swear to the 100 l. Paid by the Bishop for Mr. Medley to Mr. Charles Price, as part of his Sister's Elizabeth's Portion, and likewise to Mr. Medley's having promised to Pay 200 l. towards a Marriage Portion with his Sister Mrs. Hannah Medley to Mr. Powel, (without saying how much of the said 200 l. the Bishop disbursed for Mr. Medley) but she also Sweareth positively (as doth also Mrs. Elizabeth Pryse, the Bishop's 16. Witness, and Mr. Walter Watkins, the Bishop's 27. Witness) both to Mr. Medley's being Indebted the Summ of 40 l. to the Bishop, for what he had Expended upon and Disbursed for him, in and towards his Education at Cambridge, and likewise to the Bishop's having Paid 6 l. 2 s. 6 d. for Mr. Medley's Board, when he served the Cure of Westwattin, and to his Lordship's having given to Mr. Medley the Gown and Cassock mention'd in the Schedule B. and that the said Gown and Cassock had cost the Bishop 7 l. 15 s. Yea she the said Mr. Elizabeth Hide hath further Depos'd, her having heard Mr. Medley confess and declare, that all the Summs comprized in the Schedule A. and said to have been Paid by the Bishop for Mr. Medley, were so Paid on his account. And all this she Swears her believing to be true, in that Mr. Medley had no other Friend that could or would assist him in such concerns and exigencies, save his Lordship. Hereunto may be added the Deposition of Mr. Charles Pryse Precentor of the Cathedral Church of St. David's, who not only Swears to his Belief, of Mr. Medley's having been Indebted to the Bishop, the several Summs mention'd in the two Scedules A. and B. and particularly the 7 l. 15 s. for the Gown and Cassock; but expressly Deposeth to Mr. Medley's being Indebted a 100 l. to the Bishop, for and in consideration of so much disbursed by his Lordship, for and by the order

order of Mr. Medley in part of a Marriage Portion with his Sister Elizabeth to him the said Mr. Charles Pryse. The latter part whereof is also Deposed upon Oath by an other Mr. Charles Pryse, who is Vicar of Llanerth. To which I will in the next place annex the Deposition of Mr. Henry Powel Vicar of Langadock, who positively Swareth to the payment of the 124 l. (mention'd in the Schedule B.) by the Bishop to him the said Mr. Powel, for and in behalf of Mr. Medley, in part of the 200 l. which had been promised by the said Mr. Medley towards the Marriage Portion of his Sister Hannah, whom the same Mr. Powel had Married, and that the remainder of the said 200 l. was paid by Mr. Medley himself. Yea the said Mr. Powel further Deposeth to the payment of a 100 l. (mention'd in the same Schedule B. by the Bishop to Mr. Charles Pryse as part of his Wifes Marriage Portion for and in behalf of Mr. Medley, who had promised to pay so much with his Sister Elizabeth, but was not then in a condition to Raife it. Nor either will I, nor is it necessary to give further proof and confirmation of the Bishop's having paid the said Two Summs, by repeating either the Deposition of Mrs. Eliz. Pryse of the Bishop's having paid both the foremention'd Summs, for the use and by the Order of Mr. Medley; or the Depositions of Mr. William Williams, and Mr. Wilfrey Pyement, the First of which Swore to the 200 l. payable by Mr. Medley to Mr. Powel: And the Latter to the actual payment of 100 l. by the Bishop to Mr. Pryse, at the desire and by the appointment of the said Mr. Medley: as likewise that he the said Pyement, had paid several Summs of Money to and for Mr. Medley, by the Bishop's Order. All I will further say under this Observation and head, shall be to confirm that Exhibit of the Bishop's mention'd in the Schedule A. of his Lordship's having paid 86 l. to Mr. Rowland for and in behalf of Mr. Medley. And of this we may hold our selves fully ascertain'd, by and from the Depositions of Henry Pool, and of Robert Douglass, who have both Sworn to Mr. Medley's having signed, Sealed and Executed a Bond to Mr. Rowland (to which they were Witnesses) of the Penalty of 160 l. for the payment of 77 l. which the said Mr. Medley had Borrowed of the said Mr. Rowland. Whereof having spoken sufficiently before, all needful now to be added, is, that tho the Principal Debt was only 77 l. yet that by reason of the Interest for it, before either the one or the tother was paid, the Debt which became due to

The Bp's.
11. Witn.

The Bp's
15. Witn.

The Bp's.
16. Witn.

The Bp's.
43. Witn.

The Bp's.
45. Witn.

The Bp's.
26. Witn.

The Bp's.
27. Witn.

Mr. Rowland arose to no less than the 86*l.* in the aforesaid *Exhibit* of the *Bishop's* mention'd in the *Schedule A.* as Money Paid by his *Lordship* for Mr. *Medley's* use, and at his request.

Nor can it be unacceptable to those who are Men of Candor, and whose desire it is in all cases of this nature, to have matters truly and impartially represented, if I do in the *Fourth* place present them with, and lay this further Observation before them. Namely, that whatsoever is contained in the *Bishop's Exhibits* in the two foregoing *Schedules*, hath been owned by Mr. *Medley* to be exactly *True*, both in the whole, and in every particular thereof. Nor hath he only acknowledged that all the several respective *Summs* mention'd in those *Schedules*, had been laid out by the *Bishop*, upon or for him, and to his use, and at his desire; but he hath also declared his having given *Bond* or *Bonds* to his *Uncle*, for the Repayment of all the said Money unto him. Nor is it possible, that any who Understandings Malice hath not blinded, so much as entertain an imagination, and much less give up themselves to a belief, either that the said *Debts* are meerly *Pretended*, or that the *Bonds* given for the Payment of them are only *Collusory*, in order to the covering *Simoniacal* Transactions between the *Bishop* and Him. Seeing that as the Rise, occasion and ground of Mr. *Medley's* becoming Indebted to the *Bishop* in those several and respective *Summs*, are not only expressed and laid open, but likewise Sworn unto, by those who perfectly understood them; so diverse of the *Disbursements* made by his *Lordship* for Mr. *Medley*, and also some of the *Bonds* given by the *Nephew* to the *Uncle*, were not only antecedent to any Collations or Preferments bestowed on Mr. *Medley* by the *Bishop*, but they were previous to any views which Dr. *Watson* could have, of being advanced to the Episcopal Dignity. And in any place, save in *England*, it would be accounted the *Raving* of People under a *Lunacy* or *Delirium*, rather than the Sentiment of Men, pretending to Act *Juridically*, to say that either the 18*l.* Paid for *John Medley's* *Master of Arts Degree and Gown*, or the 5*l.* Lent him for *Journies* to *Bugden* and *Peterborough* for *Orders*, or the *Bond* of 80*l.* for the Payment of 40*l.* bearing date in May 1681, did proceed from, or were the effects of *Simoniacal* Contracts, in Relation to the Ecclesiastical Preferments, which came not to pass until many Years after, and whereof there neither was, nor could be the least prospect then,

then, that ever the *Uncle* would be, in a condition of bestowing them on the *Nephew*. And were it not the peculiar privilege of some People to believe whatsoever they please, it would have been impossible for them to have entertain'd an opinion, that Mr. *Medley* would have granted the *Bond* to Mr. *Rowland*, which we have so often mention'd; but upon the consideration of his having Borrowed of him, and Receiv'd the 77 *l.* which is therein expressed. And did I not know, that Men are liable to act both as unduly and as unaccountably, thro' having a *Bias* upon their *Wills*, as thro' their having a soft place in their *Heads*, I should think the Palace in *Moor-Fields* the only proper place of Residence for those, who can think that either the 100 *l.* Paid by the *Bishop* in Mr. *Medley's* behalf to Mr. *Ch. Pryse*, or the 124 *l.* Paid by his Lordship at his desire to Mr. *Powel*, were mere pretences, fictions and shams, for the better concealing of *Simoniacal* Transactions between the *Uncle* and *Nephew*. Nor ought I here to omit taking notice of the Injustice done both to the *Bishop* and to Mr. *Medley*, in the Refusing to hear Mr. *Medley* (under pretence that he was *particeps Criminis*) when he offer'd himself to be examin'd, and would have undertook to have Vindicated the *Bishop*, as well himself, not only upon and by his own Oath, but otherwise, from whatsoever *Simony* they had been Accused of. And that which makes me think the worse of that Proceeding, is this, that as it is a fundamental Rule in all *Laws* whatsoever, and particularly in the *Civil Law*, that *Præstat novemem absolvere, quam Innocentem Condemnare*; it is better one who is a Criminal should be acquitted, than that one who is Guiltless and Innocent should be Condemned: So the *Doctors* do not only allow such for competent Witnesses towards the absolving of Men, whom they will not admit as such for Convicting them of Guilt, but they do likewise accept of weaker Proofs for the Vindicating of Peoples Innocency, than they will receive for rendring them Criminal. And therefore it is not only given for a Rule, that *Probantur articuli pro inculcata tutela, testibus alias minus idoneis*; but it is likewise positively Established, that an Accused Person shall be held Vindicated, or in the *Civil Law* Term exculpated, per conjecturas & judicia. To which I will add from the *Canon Law*, that it is not only expressly provided, that *si pro Reo sunt presumptiones, sibi deferendum est jura-*mentum, if there be but Presumptions of an Accused Person's

*Petr. de
Confil. 23.*

*Mascard
vel. 1 Con.
Clus. 490.*

*F. Merito
F. pro So-
cio Boss.
tit. de
favor.*

Institut. Fur. Canon. Lib. 2. Tit. 14. Ibid. Lib. 4. Tit. 2. being Innocent, that he shall be then admitted to the purging of himself by his Oath; but it is also positively Ordained, that if an Ecclesiastick come to be de Crimine Infamatus, Accused and Defamed as Guilty of a Crime, that it shall be taken as a Vindication of him from it, *modo juret se non esse tali Crimine, vel macula inquinatum*, provided he will Swear he is Innocent of that Crime, and that it is a calumny to asperse him with such an infamy. But we are to be the less surprized at the refusing to Examine Mr. Medley, when we consider that his Mother having on the 30th of October 1695, appeared and offered her self to be further Heard and Examin'd in behalf of her Son, she was shut out and excluded from being so, by the Commissioners on the Promoters side. Whereas it is not only provided for in the Civil Law, that *Frater pro Fratre, affinis pro affine, &c.* that a Brother for a Brother, and the nearest Relation for another, shall be accounted *Testes idonei*, proper and competent Witnesses; but it is both made a standing Rule, that *nullus plurius uti defensionibus prohibetur*, No Man shall be hindred from producing all the Defences he can; and also expressly Ordained, that *si dolo, aut negligentia Judicis, Testes debito modo examinati non sunt, proponenti nocere non debet, quin iidem Testes repeti possunt*, If thro' any fault or negligence of the Judge, Witnesses have not been duly and fully Examin'd, this shall not prejudice the Proponent, accused, or party in whose favour they were brought; but they shall be Examin'd again, and Heard whatsoever they have further to say. Nor ought the Metropolitan, or at least they who are Assessors unto him, or whom he he employ'd as Advocates against the Bishop in the Process, been Ignorant, that the very Canon Law doth in this agree with the Civil, it being therein laid down and Established for a Rule, that it is the duty of a Judge, *Repetere Testes super omisissis*, To give a Rehearing to Witnesses, in Reference to things, which either thro' their own Forgetfulness, or because of their not being ask'd about them, they had omitted to Depose.

Institut. Fur. Canon. Lib. 3. Tit. 14.

But to proceed to a Fifth Observation, which shall be this, viz. that it was in Order to the payment of the forementioned Debts which we have fully and clearly proved Mr. Medley to have been Owing to the Bishop, that he the said Mr. Medley, after his having been, without the least fraud or collusion, and much less any previous Simoniack Bargain or Contract, Collated to such and such Benefices, did make a Resignation of the

the *Rents* of them to the *Bishop*, and by his *Letter of Attorney*, did *Authorise* and *Empower* his *Lordship*, to gather and receive them, untill such time, as he should be reimbursed those *Summs of Money*, which in the foremention'd ways, and upon the foregoing accounts, Mr. *Medley* was *Owing* to him. Nor was the *Bishop* desirous of making a *Secret*, of his being Entitled to the receiving of the *Profits* arising from his *Nephew's Ecclesiastical Benefices*; in that he both knew, and was able to make appear, that it was upon very legal and justifiable grounds, that he had a *Right* given him unto them. And therefore, as he made no *Mystery* of the *Bonds*, which he took from Mr. *Medley*, but had them *Signed*, *Sealed* and *Executed*, in the presence of sufficient and proper *Witnesses*; he was likewise so far from being careful to conceal or smother the *Power* given unto him, for the *Collecting* of the aforesaid *Rents*, that not only *Wilfray Pyemont* Swareth, his having been a *Witness*, to Mr. *Medley's* *Executing* an *Assignment* or *Letter of Attorney* to the *Bishop*, for the *Rents* of *Medrim* for two years, towards the reimbursement of the 100*l.* which his *Lordship* at Mr. *Medley's* desire, and in his *Name*, had paid to Mr. *Charles Pryse*, as Mr. *Medley's* quota or part of his *Sisters Portion*; but Mr. *Pryse* *Vicar* of *Lannerth*, hath sworn to his *Lordship's* having been empowered, by reason of and upon the aforesaid *Considerations*, to receive the *Rents* which accru'd from several of Mr. *Medley's* *Benefices* and *Preferments*. And as there was nothing in all this, that bore any affinity in it to *Simony*, or that had the least colour or tincture thereof; so none but such, as acted from prejudice and malice, could upon that account, have thought, and much less have *Sentenced* the *Bishop* of *St. David's* as a *Simonist*. For as every *Ecclesiastical Person*, upon his having been legally *Collated*, *Instituted*, and *Inducted*, into one, or more *Church Livings* and *Preferments*, hath thereby a *Freehold* given him in them for *Life*, and may accordingly dispose or Convey a *Right* unto whomsoever he pleaseth, for the Receiving the *Rents* arising from them, either during the whole, or part of the time of his *Natural Life*; so it hath been always unexceptionably, as well as commonly practiced. And as the Granting such a *Power* to any one, by reason of, and for and towards the payment of a just *Debt*, is both the most valuable and justifiable motive, that can be alledged or assigned for the doing it; so nothing but *Wrath* and *Revenge*, would have

The Bp's.
46. Wilm.

The Bp's.
11. W. r.
ad Artic.

Tacit.
Annal.
Lib. 3.
Livy Lib.
39.
Annian.
Marcel.
Lib. 14.

Plin. Pag-
ney.

have influenced and over-ruled Men to account that *Simony* in the *Bishop* of *St. David's* and in *Mr. Medley*; which all the *World* doth allow to be *Legal*, just and *Innocent* in others. In reference to which strange procedure of some people, towards and against the *Bishop* of *St. David's*, tho I have both all the advantage, as well as provocation, for making very severe Reflections; yet all that I will admit my self to say, shall be in a very few words, and those also borrowed, from some of the wisest and best Authors I know. Namely, *odium et invidiam apud multos valere*, That hatred and envy do with and before some People, supply the room of all sort of proofs; who do therefore *suas similitates pro magistratu exercere*, make their magistratical and juridical Power, Ministerial to their animosities and Piques. And that because, *quicquid quorundam implacabilitati sedisset, id veluti jus fasque urgebatur*, whatsoever fell in with some mens hatred, was received as Law and Right, as well as urged as such; how that thereupon the malice and revenge of the Bishop's Enemies, were singularare & unicum crimen eorum, qui crimine vacabant, in the room and stead of a crime for the convicting and Condemning those, in whom no crime had been, or could be found.

Finally, it may not be amiss in the *Sixth* place, to recommend this further observation to the Reader, namely, how That after all which the *Bishop* hath received out of the *Rents* arising to *Mr. Medley* by and from his *Ecclesiastical Preferments*, there is of that, which *Mr. Medley* was owing to his *Lordship* a very considerable Summ remaining still as a Debt unpaid. For whereas the whole either owned by the *Bishop* himself to have been received by him, or so much as pretended to have been proved by the *Promoter's* Witnesses, that he had received, by and from *Mr. Medley's Benefices*, amounteth only to 531 l. viz.

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	l.	s.	d.
Out of Clyddy, prebend three years Rent, at 3	60	00	00
15 l. per Annum 15 l. Fine, in all.			
Out of the Archdeaconry.	156	00	00
Out of the Treasurership.	315	00	00
In all	531	00	00

It hath not only made appear by the *Bishop's Exhibit's*, and also confessed by Mr. *Medley*, but it hath been likewise prov'd by the Testimonies upon Oath, of many *Witnesses* of unquestionable Credit and Reputation, that Mr. *Medley* was Debtor to his *Lordship* in no less *Summ* than 747 *l.* 12 *s.* 10 *d.* So that after all which hath been received by the *Bishop* out of his *Living*s, there doth remain still Due by Mr. *Medley* to his *Lordship* the *Summ* of 224 *l.* 2 *s.* 10 *d.* to and for the Balancing of the Account. Nor ought it to escape our Observation, that 7 *l.* 10 *s.* is to be deducted out of the 531 *l.* charged upon the *Bishop*, as received by him out of *Medley's Rents*; seeing the whole which his *Lordship* ever had from them was but 525 *l.* 10 *s.* And tho' the taking notice of this may seem Trifling and below a man of sense, yet it could not be well omitted, because it doth further discover unto us, both the malice and the infidelity of the *Author* of the *View*, who deserveth the more to be rebuk'd for the one and the tother; in that had he carefully perused, and faithfully reported, what was in proof, as well against, as for the *Bishop*, he would have first found, and then stood obliged to relate, how it was made appear both by the *Bishop's* Allegations and Exhibits, and by Mr. *Medley's* Confessions, and acknowledgments, laid before the *Arch-Bishop* of *Canterbury* the 27th of *May* 1696, That the *Bishop* of *St. David's*, had not received the *Rents* of *Cliddy*, save barely for *Two Years* and a half; and that thereupon instead of his being charged with the receipt of 60 *l.* out of *Cliddy Prebend*, his *Lordship* should have been accused of receiving no more than 52 *l.* 10 *s.*

But not to insist further upon what I have here offer'd to the observation of the Reader, unless to infer from thence, that the *Bishop* instead of being convicted of *Simoniack* Contracts with his *Nephew*, he is in the quality of a fair Dealer, a great Loser hitherto by him. And had not his *Lordship* acted with greater circumspection in his Transactions with others, than he did in those with Mr. *Medley*, he would not have had the Character in the World, which he has, for the being either a prudent, or a wealthy man. 'Tis true, he might very justly have obtained the being accounted a kind and generous *Uncle*, by reason of his Expences upon his *Nephew's* Education, and the great disbursements he had been at for, and the several *Summs* he had lent unto him; but he could never

never have been esteemed, either provident or discreet, should he have either omitted the making provisions for his being entituled to Repayment, in case Mr. *Medley* came to be able; or forbore the demanding the being reimbursed and repaid, when the said Mr. *Medley* was arrived to a condition of doing it. And his *Lordship* might with the more justice requirc, as well as expect this from Mr. *Medley*, in that he had diverse *Female Relations*, and among those several of Mr. *Medley's Sisters* to provide for, of and from whom, he could neither desire, nor hope for any Returns, save those of duty and gratitude. And how distinguishing and singular his *Lordship's* care of, and bounty to them hath been, doth undeniably appear from his having allowed such *Summs* out of his own pocket towards the *Portions* of Two of them, and his having thereupon *Married* them so comfortably, as he hath done. And upon what the *Bishop* is still a *Lofer* by Mr. *Medley*, by reason of what he had disbursed upon, and for, or Lent unto himself; I may confidently say, that were his *Lordship* to fall as short in his Repayments by and from others, for whom he may have disbursed, or to whom he may have Lent Money; as he hath done by and from Mr. *Medley*, whatsoever he hath acquired in Lawful ways, and by means of frugality and good Oeconomy, would be soon wasted and squandred away through his credulity and indiscretion. Which no doubt his *Lordship's* Enemies do very much desire, that thereupon, as he is the Object who gives them Envy at present, and who thro his just resentments of the injustices, wrongs, and Villanies they have done him, may give them dread hereafter; he may become the subject both of their contempt and of their ridicule.

But whereas the *Writer* of the *View*, is pleased to tell us, that the *Bishop's Exhibits of the Accounts between Him and his Nephew, are at first sight Suspicious*; he doth in his affirming so, discover his impudence, as well as his malice. Seeing that as several of them (which we have shew'd before) were allowed even by the *Metropolitan*; so the rest of them have been uncontrollably proved by *Witnesses* of undoubted Vertue and probity. And the Reasons by which the *Author* of the *View* doth endeavour to support his opinion, that the *Exhibits of those Accounts are suspicious*, do only manifest that his defects.

fects in his Intellectuals, bear proportion to his Corruptions in Morals; and that he is no less a weak, than he is an ill man. For whereas the *first* argument he brings towards the rendring the *Exhibits* of those *Accounts* *Suspicious*, is *That they were of so long a standing before they were Settled: viz. from 1681 to 1696*; he hath therein betray'd his want of *Sense*, which is the being a Fool; as well as his want of *Integrity*, which is the being a Knave. Seeing that not only the *Bond* of 80*l.* for the payment of 40*l.* with Interest granted in *May* 1681, and the Disbursements for his *Degree of Master of Arts*, and for his *Journeys for Orders*, and for his *Board for Six Months*, as well as diverse other *Exhibits* mention'd in the *Scedule A*, were adjusted and Settled the *Fifth* of *May* 1691, which is very far antecedent to 1696: but likewise the *Bond* of 160*l.* for the payment of 77 *l.* given by Mr. *Medley* to Mr. *Rowland*, in *January* 1688. the Signing, Sealing, and Executing whereof, I take to have been undeniably proved, was a long time before 1696. And whereas in further confirmation of that *Writer's Suspicion* of the foremention'd *Exhibits*, he is pleas'd to add, *That the accounts concerning them, were settled at so critical a time, viz. a little before Michaelmas 1696. which was a little after the Process was personally served upon his Lordship, to answer to Articles of Simony*; I have *Two Replies* to make thereunto. Whereof the *First* is, that nothing can be either more illegal, or pernicious in the Consequence of it, than from that upon which an Enemy may pretend to raise a suspicion; to conclude that the suspected person is thereupon to be accounted Guilty. And I should have thought, that in a Nation, and at a Season, when no person can be seized and committed to Prison by our very Secretaries of State, meerly on a suspicion, even of the heinous Crime of high Treason, but that he is *ipso facto* to be admitted to Bail; that either a *Metropolitan*, or a Mercenary *Advocate* start up as his partizan, durst have obtruded upon the people of *England*, that the pretences advanced by ill men for their suspicions of these whom they hate, should be allowed for proofs, that such are to be held criminal of what those have the malice to suspect them. For there are few in the World, how vertuous and innocent soever they be, whom some people, thro a malignity of Nature, do not suspect very ill things of: and very often their suspicions of them, have no other foundation, but that such of

Ubi supra.

Ibid.

p. 36, 37.

whom they entertain sinister and disgraceful opinions, are not so debauched and disloyal, as themselves are. And were my suspicions of some men, (which I do assure my Reader are much better grounded, than those of the *Writer* of the *View* concerning the *Bishop* of *St. David's* being guilty of *Simony*) fit to be received at the *Council Board*, or before *Courts* of *Judicature*; I could assign reasons for the believing them, to have been not only embarqu'd in Counsels and Projections, for putting the present *Queen* by the *Succession* to the *Crowns* of great *Britain*; but that they are still raising and scattering those jealousies of her *Majesty*, as they both hope and think may undermine *Her* establishment. And seeing I may be allow'd to suspect, as well as others are permitted to do it, I will venture to say, that I am not without my suspicions, that some who stile *Her Nursing Mother*, do it not only in order to the *Sucking Her Breasts*, but to cover themselves the better in the designs they are promoting in favor of the *Prince of Hannover*, for Supplanting *Her Throne*. But in further Reply to the *Author* of the *View*, I desire to beg of all the sensible part of mankind, whether they can think it was convenient, and much less necessary, that private Transactions and Accounts between an *Uncle* and a *Nephew*, should have been brought publicly upon the Stage, until the covering themselves from the calumnies and defamations, which their Enemies out of malice and revenge, had endeavoured to load them with, made it indispensably needful. For what had the World to do in reference to *Lending* and *Borrowing*, &c. between the *Bishop* of *St. David's* and *Mr. Medley*? It being more than enough, that their nearest *Relations*, and most intimate *Friends*, stood acquainted with what had passed betwixt them in those ways, and that whatsoever was in Law requisite, either towards the expressing the Debt of, or for securing the Payment of it by the one to the t'other, had been declared and executed in the usual Forms. And the *Author* of the *View's*, saying that to prove the *Accounts* thus made up, to be true, the *Bishop* had Examined several of his *Relations* and *Servants*, who Swear no more, than that *Mr. Medley* owned them to be true *Accounts*, and that it is no wonder he should, being particeps *Criminis*; doth only shew that *Writer's* want of Sense, as well as of Honesty. For not to insist upon it at present, that if some People were not *Actors*, as well as particeps *Criminum*, of more pernicious consequence, than either the *Bishop* or *Mr. Medley*

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p. 37.

are of *Simony*, neither Church nor State would be in the condition, which they now are; nor would the greatest, wisest and best men of the Kingdom, have been so traduced and Lampoon'd, as they have been; and much less would her present *Majesty*; be made the Subject of so many disloyal Reflections, and such which tend to Rebellion, as *She* is. I will only say, that none can be supposed so capable as *Relations* and *Servants*, to be let into Transactions of that Nature, or so ready at hand, as they must be thought to be, for appearing as *Witnesses* to Signing, Sealing, and Executing of Accounts, Bonds, Bills, and Assignments between them, and from the one to the tother. And should all Deeds and Assignments, to which *Relations* and *Servants* are *Witnesses*, be upon that account, and by reason thereof, held for feigned and Collusory, it would overthrow the Titles of many persons to their Inheritances and Estates, as well as preclude vast numbers from prosecuting such as are Debtor's to them. But besides, it is a direct and an egregious falshood, that none save *Relations* and *Servants* were *Witnesses* unto, and had attested Transactions of that sort between the *Bishop* and Mr. *Medley*; seeing not only the *Articles*, by which Mr. *Medley* became bound to give 200*l.* to Mr. *Powel*, in part of a Marriage Portion with his Sister *Hannah*, (whereof the *Bishop* in Mr. *Medley's* name, and at his desire paid 124*l.* besides what he undertook to pay himself, which upon the consummation of the Marriage he immediately paid) are positively Sworn unto by Mr. *W. Williams Gent.* and who as a *Notary publick* drew them. But Mr. *Medley's Bond* of 160*l.* for the payment of 77*l.* is attested also upon Oath by Mr. *Henry Pool* (who paid the said Money) and was neither *Relation*, nor *Servant* of the *Bishop's*. And forasmuch as the *Author* of the *View*, doth in further evidence of his malice against the *Bishop*, and of his own *Corinthian* forehead, endeavour to impose upon our belief, That the *Bond* and *Indenture* made and given to Mr. *Rowland* for the payment of 77*l.* principal Debt with Interest, and wherein Mr. *Medley* demised and Leased to him the *Tithes* of his *Rectory* of *Blethvagh*, and the *Rents* of his *Prebends* of *Cliddy* and *Clirrow*, were not on the account of any real debt due to Mr. *Rowland*, to whom Mr. *Medley* owed no Money, but that the said *Bond* and *Indenture* were to the *Bishop's* use, who accordingly received the *Profits* of *Cliddy*: I do say that all this is no less egregiously false than it is silly, and

The Bp's.

42. Wilm.

ad Artic.

26.

26. Wilm.

ad Artic.

6.

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P. 38, 39.

impertinent. In that both Mr. *Medley's* having given *Bond* and *Mortgage* to Mr. *Rowland* for so much Money; and the said *Bond* and *Indenture's* having been afterwards deliver'd up *Cancelled* to Mr. *Medley* by the *Bishop*, are sufficient proofs in Law, as well of the *Borrowing*, as of the *Repayment* of the said Money; and it is altogether immaterial in it self, and wholly disagreeable both to the common methods of Transactions among men, and to the established Rules for Governing proceedings in Judicial Courts, to inquire whose the Money really was. Nor is there any thing more universally (and often discreetly) practiced, than for one, whose the Money to be Lent truly is, to desire that the *Bond* for the *Payment* of it may be made to an other. And such as are wise and with-all upright Judges, do not use on the having Cases of this kind brought before them, either to Ask whose the Money was, that is alledged to have been Lent; nor for what purposes and upon what necessities it had been Borrowed; but all they do, is to examine, whether such a Summ of Money had been really Lent, and such a Security had been given by the Borrower for the Repayment of it. All which was not only fully proved in the case before us by the testimonies upon Oath of *Henry Pool* and *Robert Douglass*, who were Witnesses to the *Bond* and *Indenture* and the Execution of them: and which are also both confessed and owned by Mr. *Medley* himself; and further confirmed by the *Bishop's* Exhibiting the Counterpart of the *Indenture*, after that the Money for which *Bond* had been given to Mr. *Rowland*, had been paid: but his Lordship hath likewise acquainted us with the reasons and motives, on which he procured that Money to be advanced and Lent to Mr. *Medley*, which are such, as may and ought to satisfy every man of Sense and probity, that there neither was, nor could be any Collusion in that matter. Namely that Mr. *Medley* having been uneasy under the sense of the several Debts, which he had contracted by Journeys and Fees &c. and thereupon having absented himself from his Cure in *Wales*, and gone to *Yorkshire*, in hopes of obtaining Supplies for the discharge of them, but in which he succeeded not; how that thereupon the *Bishop* wrote to him thither, to know the cause of his absenting from his Cure, to which in the Answer that his Lordship received, he had the reason, which I have mention'd laid before him by his Nephew: and that therefore

The Bp's.
26. With.
his 47.
With.

out of compassion and kindness to him, and towards the relieving him from all anxiety and disturbance, his *Lordship* took care to get so much money advanced to Mr. *Medley*, as should fully answer his necessities at that time, and free him from all Incumbrances. So that the *Author* of the *View's* endeavouring to have it believed, that there had been no such *Summ*, as the *aforsaid* 77 *l. Lent* at that season to Mr. *Medley*, because of Mr. *Rowland's* not having been *Produced* by the *Bishop* to testify the *Loan* thereof by the *Latter* to the *former*, doth only serve farther to convince the reasonable and upright part of mankind, both how partial and unrighteous some *People* were in their *Juridical* proceedings against the *Bishop* of *St. David's*; and what a ridiculous, as well as an impertinent *Writer*, the said *Author* is. Seeing Mr. *Medley's* having received such a *Summ*, and his having given a *Bond* bearing date 2. *Jan.* 1688. to Mr. *Rowland* for the payment of it, being *Deposed* and *Sworn* by those lately mention'd, who had been *Witnesses* to that *Transaction*, it was not only altogether needless to produce Mr. *Rowland*, but it had been extreamly unkind in the *Bishop*, to have put that *Gentleman* to a journey of above 50 miles in order to his giving Testimony, in a *Case*, which had been so sufficiently cleared and fully proved by others, that none could or would suspect or question the Truth of it, save such as do wilfully shut their Eyes, and are obstinately prejudiced. And by this *Writer's* having singled out this *Item* from among the Rest of the *Bishop's Exhibits of Accounts* between him and Mr. *Medley*; and his having not only stiled it a very *considerable Item*; but his having left the *Reader* to judge of the falshood of the Rest, by the proofs he should give of the Sophistry and Collusion which were in that; and the said *Writer's* having so egregiously and shamefully failed, in whatsoever he had undertaken to perform in that way, in relation unto and concerning that particular; may be enough to give us all the satisfaction we can desire, how *Guiltless* the *Bishop* of *St. David's* is with respect to all the other *Particulars*, wherein he hath been calumniated and defamed. Seeing after all the artifice and malice exerted and employ'd by this *Author*, for the Blackning his *Lordship* in this, we have shew'd and demonstrated, that he was entirely and altogether Innocent. And whereas this *Writer*, hath further endeavoured to render this *Transaction* between Mr. *Medley* and Mr. *Rowland*, to have

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have been a meer Juggle, in that tho' Henry Pool and Robert Douglass did both Swear to the Execution of the Bond or Indenture of Mr. Medley to Mr. Rowland, yet neither of them De- pose, that they saw any Counterpart Executed by Mr. Rowland, or any Paid down; I do say that the said Writer, by his drawing such an Inference from thence, doth only give an other Evi- dence of his Malice against the Bishop, and of his being a Man of little understanding. Seeing as Mr. Medley was always and more especially at that time, and under the circumstances he then was, must be suppos'd careful, not to acknowledge himself Indebted to a Person, to whom he owed nothing; so I never heard that it was either thought necessary, or re- quired, that Witnesses to a Bond and the Execution thereof, should have seen the Money, for which the said Bond was Gran- ted and Executed, actually Paid and Told. And if this ob- jection against the reality of Mr. Medley's having received the foremention'd 77 l. should be admitted for good and rele- vant in Law, and be allow'd in Courts of Justice as a reason for covering Men from the Payment of that, which upon Bonds that had been given by them, they come to be Sued for; there are Thousands in England, would have the misfortune, to be defrauded of the Money, which they had both really Lent, and for the Securing the Payment thereof, they had taken, and were able to produce Bonds duely Attested to have been Sign'd, Seal'd and Executed. And as the permitting that (which if allow'd, overthroweth half of the Legal Securities in the Kingdom for Money really and actually Lent) to be not only offer'd as a ground for fastning Infamy upon the Bishop of St. David's, but the receiving and acting Judicially upon it as such, doth shew the Injustice of some People unto, as well as their Pique and Revenge against him; so this Writer's attempting from a Topick of that kind, to beget in his Readers an ill Opinion of that Prelate, doth abundantly manifest him to be neither a Wise, nor an Honest Man. But to hasten to a conclusion of this Paragraph, it is hardly possible we should either have a more convincing Proof of the Insincerity of this Author, (and how unfit he is on that account to give the World Memoirs of matters of Fact) or of his Malice and Injustice to the Bishop of St. David's, than his daring to say, it is very probable, that the Profits of the Rectory of Blethvaugh, which were an other part in the Indenture Demised by Mr. Medley to Mr. Rowland, went to the

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the Bishop's use, as well as the Profits of Cliddy Prebend, which were Demised in the same Indenture, or else that Mr. Medley could not have been so needy of Money, as had been Deposed he was. Seeing that as other Reasons, and those such as are very Justifiable, and which ought to give satisfaction to all Men of probity, have been assigned, how Mr. Medley came to be needy of Money; so there was not one Deposition in the whole Cause and Process, by which it was either Pretended, or Attempted to be Proved, that the Bishop had Receiv'd the Profits of the Rectory of Blethvaugh. Whereupon as this Author's Accusing his Lordship thereof, doth shew him to be a Writer of his own Dreams and Fictions, instead of his giving us a True Relation of Matters of Fact; so his referring his Readers to Meyrick's and Powel's Depositions, for the Justifying him in that Aspersion on the Prelate, doth only serve to manifest his Impudence, as well as his want of Integrity. In that there is not one word Deposed by either of them, concerning the Bishop's receiving the Profits of the Rectory of Blethvaugh; the whole which they Swear unto, relating to Rents arising from other Places and Preferments, to which Mr. Medley had been Collated.

Ibid.

Wherefore having with all the Truth and Uprightness I can, and at the same time with all the brevity that the matter would admit, laid open and declar'd how, why, and upon what reasons the Bishop of St. David's came to have a Right and Power Granted unto and Vested in him, of Demanding and Receiving the Profits and Rents accruing from such and such of Mr. Medley's Ecclesiastical Dignities and Livings for such a time; I am now both at leisure and prepared for Encountering the Writer of the View, in what he hath from thence further alleged, for proving the Bishop to have been Guilty of Simony. And that which I am first to Examine in this Author, is what hath been produced by him for the fastning that Crime upon his Lordship, thro' and from Mr. Medley's preferment to the Archdeaconsry of St. David's. In reference whereunto, as he hath brought the Depositions of Two several Witnesses; so I shall both consider what these have Sworn unto in them; and give such Answers thereunto, as shall fully Vindicate the Bishop, from having any ways offended either Simonically or criminally in that matter. And as our Author begins with what was Deposed by Mr. Thomas Powel, so he tells us that this Mr. Powel Swears, that Mr. Medley was twice Collated to the

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Arch-Deaconry of St. David's, the first time about Michaelmas 1690, and again in 1691. And that the said Powel had known by the Bishop's Letters and Discourses, that he intended to hold the Arch-Deaconry in Commendam, and that after it was void he said he would so hold the same. And that he said Powel is Tenant to the Corps of the Arch-Deaconry, and did Pay the first Rent due at St. James's-Tide 1691. being 52 l. to the Bishop, who gave a Discharge for the same. And that he the said Powel likewise Paid to the Bishop the Rent for the Years 1692 and 1693, amounting in the whole three Years to the Summ of 156 l. and that Mr. Medley never asked Powel for the said Rents, but once, viz. about two Months after Powel had Paid the Bishop the first Years Rent, and that Powel having made Answer to Medley, you know I have Paid my Rent, and to whom, how Medley thereupon replied, ay, my Lord saith, I owe him an hundred pound but I do not know, I hope it will be off at Michaelmas next and that then he should have it himself. By which Powel apprehended the 100 l. would be paid off by Michaelmas then following, which was Michaelmas 1692. That the said Powel received some procurations, and all the Induction Fees belonging to the Archdeaconry, which he paid to the Bishop: and that the Bishop in August 1694 wrote a Letter to Powel, wherein he said, he was to have the Induction Fees till Michaelmas upon a Bargain. And that the said Powel further Swears, how that about Michaelmas 1692. Accounts were passed between the Bishop and him, wherein Powel charged himself with the Rent of the Corps of the Archdeaconry for two years, as received for the Bishop. And that another Account being stated between them in September 1693. and the Rent of the Corps of the Archdeaconry being included, as in the Accounts for the two preceeding years; the Bishop ordered Powel to strike it out, because (as he then told Powel) he would not have Mr. Medley's Rent seen among his Accounts: and that Mr. Powel did strike the same accordingly out; but that the 52 l. so struck out, was afterwards really and truly paid by Powel to the order of the Bishop. Now to this long Deposition of Henry Powel, brought by the Author of the View, for proving the Bishop of St. David's, to have been guilty of Simony, in his Collating Mr. Medley to the Archdeaconry of St. David's; I shall need to give but a very few, and those short Answers, for the vindicating his Lordship, even from the suspicion of that Crime, in bestowing the said Dignity upon his Nephew. For having
already

already satisfied every impartial and unprejudiced *Reader*, how and upon what accounts, the *Bishop* came to be Entitled for sometime, to the *Receiving* both the *Rents* of the *Corps* of that *Archdeaconry*, and such *Fees* as arose from thence, either for *Procurations* or *Inductions*; and having fully shew'd that the *Grounds*, upon which that *Right* was granted unto him, were no less legal, than they were weighty; it would be to treat my *Readers* with rudeness as well as with injustice, to burden them with those *Replies*, which would oblige me to the repeating of those things again. And as the plain *Relation*, which I have given of that matter, needs only to be Reviewed, towards the rendring it demonstratively evident, that there is nothing in this *Deposition* of *Powel's*, that can affect the *Bishop* with *Simony*; In that the whole that is *Sworn* unto in it, is only that his *Lordship* had *Intermeddled* with such *Rents* and *profits* as has had accrued from the *Archdeaconry*; for his doing whereof, there have already been very justifiable reasons assigned. And as none, save they who are either very ill men themselves, or the *Bishop's* professed *Enemies*, could raise a suspicion of *Simony*, from and upon what is *Deposed* by *Powel*; so it ought not escape our observation, that the *Author* of the *View*, instead of endeavouring to fasten that *Crime* upon his *Lordship*, from plain and open *Simoniackal Facts* and *Transactions*, directly therein *Sworn* unto; hath only attempted the charging that *Crime* upon him, by means of *Inferences* and *Deductions*, which in *Cases* of a *Criminal* nature, are never to be *allowed*. Nor is it ever permitted in any righteous Courts of judicature, that men shall be held convicted as offenders, by indirect, as well as weak, and therefore unconvincing arguments. But the proofs which are indispensably required, towards the supporting of every *Criminal Accusation*, are either direct *Testimonies* of *Facts*, and that upon *Personal* and *Positive* knowledge; or they are *Mediums*, *Reasons* and *Premises*, that such a *Conclusion*, and no other, must unavoidably be *inferred* from them. Whereas therefore the *Bishop* of *St. David's* *Receiving* the *Rents* of *Mr. Medley's Ecclesiastical Benefices*, might proceed from an other Cause (as we have also shew'd it did) than from a *Simoniackal Contract* or *Bargain*; it ought not to escape the being censured, as an effect of malice and injustice, that his *Lordship* should be first accused, and then *Condemned* for a *Simonist*, upon that meer

and single *Allegation*. For as we may hold our selves assured, that had there been more produceable for *Convicting* the *Bishop* of *St. David's* of *Simony* upon the score of bestowing the *Arch-deaconry* of that *Cathedral* upon his *Nephew*, than what I have mention'd; such was *Powel's* malice to, and revenge against his *Lordship*, that he would not have omitted the naming of, and the Swearing home to it; so we may account our selves fully convinced, that the *Metropolitan* had information of no more, than that, against his *Comprovincial Bishop*, in relation to his having *Collated* *Mr. Medley* to the said *Archdeaconry*, seeing this is the whole *Reported* to us by his *Graces Partizan* the *Author* of the *View*, of the *Proofs of the Articles Exhibited against the Bishop of St. David's* as to that matter, who undoubtedly would not have foreborn the Relation of any thing, by which he could think his *Lordship* would be Criminally affected. But tho' what I have already said, be enough, both to take off all the strength and validity of *Powel's Deposition*, and to make it ludicrous, as well as altogether impertinent, with respect to the design, for which it was made by him, and is Reported by the *Author* of the *View*; yet there being several things in it, as produc'd by the said *Writer*, which do no less give a Representation of the Injustice of others in the whole *Process* against the *Bishop* of *St. David's*, than of as well the the enmity and rage, from and with which *Powel* appear'd for getting his *Lordship* Coudemn'd, as of the rancour of this *Author* against the *Bishop*, and of his infidelity in reporting matters of Fact; I shall therefore both take notice of, and make some Observations and Reflections upon them. And whereas in the *First* place, we are told by this *Writer*, that *Powel* should have Sworn, that the first time *Mr. Medley* was *Collated* to the *Arch-Deaconry* of *St. David's*, was about Michaelmas 1690. he hath therein not only obruded an impossibility, as well a falshood, upon his Readers, but he hath departed from and contradicted the very *Deposition* of *Powel*, which as an *Historian* he took upon him to recite. For in that *Dr. George Owen*, who had been the former *Archdeacon*, did not Die, untill about Michaelmas 1690. And that the *Bishop* held the said *Archdeaconry* for some time in *Commendam*, before He *Collated* his *Nephew* to it; it doth from thence undeniably follow, that what this *Writer* tells us of *Mr. Medley's* having been *Collated* thereunto, must be an Impossibility as well as a Lie.

Nor

Nor had *Powel* Sworn any such thing, as that *Mr. Medley* had been promoted to that Dignity about *Michaelmas 1690.* but in the room thereof he had Deposed otherwise, namely, *that the Archdeaconry of St. David's being void about Michaelmas 1690.* The Promot. 29. by the death of *Mr. George Owen*, that thereupon *Mr. Medley* Winn. ad Artic. 2, was the first time Collated to it, about the March following. But this Author is so accusom'd to foarbery, as well as given up 3, 4 to inadvertance, that he knows not how to report the Testimonies of the Witnesses on the side for which he himself writes, with the uprightness that he should. And as his misreporting that part of *Powel's* Deposition, sheweth both his carelessness and his insincerity; so he deserveth to be the more severely reprimanded for them, because that *Mr. Edmond Meyrick*, hath not only sworn the same in this particular which *Powel* did, but hath declared his having had the Information The Promot. 28. Winn. ad Artic. 2, 3, 4. thereof, both from the Members of the Choir of *St. David's*, and from the Chapter Clerks Book. But whereas in the Second place, *Powel* both Swears, and this Writer upon his Deposition Reports, that the Bishop, as well before the vacancy of the Archdeaconry, as after it, had declared he would hold it in Commendam; and that their design therein, must have been, either the fastning Usurpation as well as Covetousness upon the Bishop, in pretending to hold that in Commendam, which he could not Legally and Lawfully do; or else (and as I rather think) to gain Men over to a believe, that his declining to do so, Proceeded from some Unrighteous and Criminal Inducement, and that his Lordship's forbearing it, was the result of a Simoniackal Contract and Bargain between Him and his Nephew. I do thereunto say, that *Powel* as well as this Writer, are not only shamefully mistaken in both these Clandestine Insinuations, but that they are likewise gross Calumniators. For as the Bishop might by a Faculty duly Granted, have both held that (which he accordingly did for some time, tho' for a reason already assigned, he gave back whatsoever had arisen to him from it to *Mr. Medley*, after the said *Mr. Medley* had been Collated thereunto) and the Treasurership of *Christ's-Church* in *Brecknock*, without the coming to be accounted either an Usurping, or an Avaricious Prelate; so his conferring those two Preferments upon his Nephew, and also the Rectory of *Aberedow* upon an other Person, (which he both might, and had likewise said, he would

Ubi supra.

held in Commendam) sheweth that he was neither the Covertous Person he hath been represented to be, nor that he was one likely to be guilty of getting Money in a way of *Simony*. Seeing it seemeth morally impossible, that a Person, who in the vertue of his *Faculty*, could have held these *three Preferments* entirely to himself, and have Reciev'd the Profits and Rents of them, both to his own alone and single use, and for as long time as he pleased, would have bestowed them *Simoniacally* upon others, on a Bargain of having for a little time, the Emoluments which should arise from them. And whereas both *Pomel's Swearing to Mr. Medley's having been two several times Collated to the Arch-Deaconry*, and also the *Author of the View's Reporting it*, seems to be purposely done, in order to the getting the *Bishop* believed guilty of some *Simoniacal* Transaction with his *Nephew*, and that the *Second Collation* was either to cover the *Simony* which had been committed on the *First*, or that the *Bishop* having scru'd up Mr. *Medley* after his being gotten into the *Arch-Deaconry*, to give and grant unto his *Lordship* a Right of Receiving the Rents thereof for a longer time, than he could be brought to submit unto at first, had thereupon *Collated* him again; I shall give that *Reply* thereunto, (tho' it be but a meer and vain surmise) as shall both set that affair in its true light, and also clear it from having so much as a *Simoniacal* air in it. And this I shall the rather do, in that the *Collating* a Person *twice* to one and the same Living, being unusual and very seldom practiced, this of the *Bishop's Collating Mr. Medley two several times to the Arch-Deaconry of St. David's*, may be thought to carry some *Mystery* in it. Nor is to be denied, but that whensoever any thing out of view and mysterious is apprehended to obtain in human Transactions; such Transactions do thereupon become obnoxious to Jealousies and Suspicions, and are often unkindly Reflected upon, and unduely Censured. In brief then, the sole and alone cause, as well as occasion of it was, that Mr. *Medley* thro' being Ignorant of our *Statutes*, and of our *Municipal Laws*, having omitted the taking the *Test*, within the time appointed and limited by the *Act*, and thereby made himself obnoxious both to the *Forfeiture* of his *Arch-Deaconry*, and to a *Penalty* besides, and the *Bishop* getting Intelligence thereof at his *Visitation 1691*. his *Lordship* immediately thereupon, (but without noise) for covering of his *Nephew* from whatsoever he

he might by reason of that neglect, have become liable unto, did *Collate* him a *Second* time to the said *Arch-Deconry*. In the doing whereof, as I am sure there could be no air of *Simony*, so there was no affront done thereby, either to the Law, or to the Government, in that Mr. *Medley's* having, after his *First Collation*, omitted to take the *Test*, within the prescrib'd compass of time, proceeded not from any dislike of, or aversion to it, but was entirely to be ascribed, either to want of thought, or to such an unacquaintance with the Laws of the Kingdom, as very Learned, as well as Loyal and Good Protestants, may be found chargeable with. Nor is either Mr. *Medley* the first, and much less the only Person, accusable of this neglect, nor the *Bishop* of *St. David's* the alone Man who applied to the like means and expedient, for preventing of such Inconveniences, as would upon omissions of that kind have ensued. Seeing even in reference to *Civil* Offices, for the holding whereof, the taking the *Test*, is made a qualification; diverse have been both guilty of the like omissions, and for the obviating of the Penal consequences, to which thereupon they lay open, have betaken themselves to the defence and relief of obtaining-fresh *Grants* of their places. Nor have I found, that such as were Vested with a power of granting new *Commissions* to them, were ever thought to have been either injurious to the State, or guilty of any Moral offence, because of their having bestowed them. However should it be admitted, that the *Bishop* did in that matter commit some kind of *Trespas*s, yet as it could not be accounted *Simony*, no more than be pronounced *Sodomy*; so I am sure that the Cognizance of it, could not be brought legally before any *Ecclesiastical Court*. And as only malice unto, and revenge against the *Bishop*, could make his Enemies suspect some *Simoniackal* Transaction between Him and Mr. *Medley*, because of the One's being two several times *Collated* by the tother to the *Archdeaconry* of *St. David's*; so I hope upon my having thus unfolded and declared the reason of it, that not only the upright and impartial part of mankind, will acquit his *Lordship*, from having been any ways accusable of *Simony* on that account; but that even his worst adversaries, will be asham'd of the sinister and ill grounded jealousy, which by reason thereof, they both entertained of him themselves, and endeavour'd to beget in others. And whereas the *Author* of the

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View in order and subserviency to the fastning *Simony* on the *Bishop*, in his *Collation* of *Mr. Medley* to the aforesaid *Archdeaconry*, hath Reported as out of *Powel's Deposition*, that an Account being Stated between the said *Powel* and his Lordship in September 1693. and the Rent of the Corps of the *Archdeaconry* for that year being included therein, as it had been for the two preceeding years; how that the *Bishop* order'd *Powel* to strike it out, because (as this *Author* affirms, he then told *Powel*) He would not have *Mr. Medley's Rent* seen among his Accounts (and as the said *Writer* further adds) which tho' *Powel* accordingly did, yet that the 32 l. so struck out, was afterwards really and truly paid by him to the Order of the *Bishop*. Now in return hereunto, I have two things to say, whereof the First shall be in the way of Reflection upon this *Author*; and the Second as a formal and direct Reply to what (in case it were true) he hath taken upon him to Report from *Powel's Deposition*. My Reflection then upon this *Writer* is this, that thro' his endeavouring to impose this for a Truth upon his Readers, and to gain them to a belief of it, he hath discover'd great unfaithfulness, as well as shameful Supineness and Inadvertance. In that there is not one Word in all *Powel's Deposition*, of the *Bishop's* having at any time Order'd *Powel*, to strike the Rent of the Corps of the *Archdeaconry*, out of the Accounts stated between *Powel* and his Lordship, for the year 1693. But the whole thereof, is the meer Fiction and Forgery of the *Author* of the *View*. For which he deserveth not only to be held for a Calumniator and Defamer of the *Bishop* of *St. David's*, but to be accounted one start up for a *Writer*, in order to the misleading and decieving of mankind. And tho' I will not say, that this Lie and Falsehood was emitted under the Stamp of his Grace of *Canterbury's* either Dispensation, or Authority; yet I will venture to say, that it is not for the Credit and Honour of the said *Metropolitan*, that the *Historiographer* of his *Archiepiscopal* and *Juridical Acts* and *Proceedings*, is a Person of that *Romantick* Genius, and of such open and avow'd Infidelity, as the *Writer* of *View*, hath herein made himself appear to be. But then Secondly I have also something to say in the way of a direct and formal Answer, to the aforesaid pretended Allegation out of *Powel's Deposition*, viz. admitting all that were true, which is Reported by this *Writer* from thence, and that the *Bishop* had spoken those words, which are Charg'd upon Him, (which it doth

doth not appear he ever did) yet there is nothing in them; that can so much as *consequentially*, and much less *directly*, fasten any *Simony*, or the least thing that hath an *Alliance* to it, upon his *Lordship*. For as it dependeth on every Man's will and pleasure, how and after what manner, he will have the several *Rents*, which he hath a *Title* unto, and whereof he hath appointed *an other* to be *Collector*, to be *entred* into *Accounts*, and brought before him, to be passed; so no *Person's Right* to such a *part* of those *Rents*, is either to be *question'd*, or his *Claim thereunto*, to be held to proceed and arise from a *Criminal Transaction*, because of his *Ordering* it to be *Settled separate and distinct* from his other *Rents*. Nor could there be either a more justifiable, or a more necessary *Reason*, than there was, for the *Bishop* of *St. David's* enjoyning, that the *Rents* which arose to him out of, and from *Mr. Medley's Ecclesiastical Benefices*, upon a *Demise* made of them unto him, for the *Payment* of just *Debts*, should be kept *distinct* and *apart* from the *Rents* and *Profits* which accrued peculiarly to himself, as he was *Bishop* of *St. David's*. In that He was to *Reckon* with *Mr. Medley* for the former, but in no ways, nor upon any score whatsoever, to *Reckon* with him for the latter. And the only *Indiscretion*, I would charge on his *Lordship*, in the conduct of that affair, is his having suffered *Powel* to bring them intermix'd in the Year 1691, and 1692, and that he took not care to have them preserved distinct and separate, untill *September* 1693. Nor do I doubt, but that upon his *Lordship's* adjusting matters with *Mr. Medley*, and in his *Discounting* with him, how much of the *Debt*, which had been owing unto his *Lordship* by *Mr. Medley*, was come to to be Paid, thro' his having *Reciev'd* the *Rents* of such and such of his *Nephew's Benefices* for two Years, he thereupon came to percieve and understand the *Inconvenience* of having the two *aforesaid Accounts*, *Interwoven* and joyned one with an other. And that it was from thence, and by reason thereof, and upon no other motive whatsoever, that at last he appointed them to be kept distinct. Not (as I have said already) that it appears by and from *Powel's Deposition*, the *Bishop* ever did so, but meerly to shew, that he would have acted as became a *Prudent Man*, had he from the beginning order'd those so much differing *Accounts*, to be disposed and stated apart. Nor need I to say any more, for *Vindicating* the *Bishop*, from the being liable to any just *suspicion* of *Simony*, because of his having used the

the foremention'd words, (had he done it, whereas he did not) seeing the very *Writer* of the *View*, how either *Corinthian* he is, or how venturous soever to make *Illegical*, as was as *unjust Deductions*, from *Premisses* which do neither lead to, nor can support them, yet he hath not been so daring, as from the foremention'd Expression, (tho' forg'd by himself, and undoubtedly to a very ill purpose) to infer and conclude his *Lordship's* having been guilty of *Simony*, in his *Collation* of *Mr. Medley* to the *Arch-Deaconry* of *St. David's*.

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And therefore I shall attend upon this *Author*, to his next (which is his last) *Allegation*, in reference to *Mr. Medley's* having been *Simoniacally Collated* to the *Archdeaconry* of *St. David's*. And concerning this *Allegation* he saith, That that which fully makes out the *Simony* in this case, without the need or help of *Presumption* is what *William Harris* Swears, to one of the *Bishop's Interrogatories*, viz. that he the said *Harris* was with *Mr. Medley*, when he was admitted to the *Archdeaconry* of *St. David's* in 1691. and that the *Bishop* then told *Mr. Powel*, who was *Tenant* to the *Corps* thereof, that tho' *Mr. Medley* was made *Archdeacon* yet he must not pay him the *Rent* thereof, but his *Lordship*; and that *Medley* being then present, did consent thereunto. In my giving *Answers* whereunto, as I have several things to offer, so the *First* shall be, to observe what an ill, and unconscionable man, this *Writer* must be, who own's his aspersing and defaming a *Prelate* of the *Church of England*, upon *presumption*, with the being guilty of the *Crime* of *Simony*. For thro' saying that what he hath produced from the *Testimony* of *William Harris*, will fully make out the *Simony* in the *Collation* of *Mr. Medley* to the *Archdeaconry* of *St. David's*, without the need or help of *Presumption*, is a plain and formal acknowledgment, that whatsoever he had thitherto said, either from *Powel's* *Deposition* upon *Oath*, or in way of *Argumentation* himself, did at most only amount to a bare and naked *presumption*. Upon which, as I cannot forbear taking notice of the barbarous, as well as inhumane licentiousness, which they of a certain *Faction* (by their own confession) do allow themselves, of pronouncing and recording men guilty of scandalous and penal *Crimes*, upon *Presumptions*; so I cannot avoid bewailing the misfortune of such, against whom they of that party have a pique, who tho' never so vertuous and Innocent, must nevertheless be both accused and condemned as the worst of criminals

minals, whensoever those of the Faction, do think it subser-
vient to their Interest, to *Presume* them to be so. And were
it not, that I cannot promise to govern my self with that tem-
perance and decency which I think it my duty to do ; that *Ex-
pression* of this *Writer*, hath raised such Indignation, as well as
Resentments in me, against a certain sort and Tribe of People,
that I should carry my Reflections both further and higher, than
I will at present venture to do. And therefore I will proceed
to the *Second* thing, which in way of *Answer* to this *Author's*
Citation from *Harris's Deposition*, I have further to observe.
Which is the giving the *Reader* a fresh Instance of the *Infidelity*
of the *Author* of the *View*, in what he undertakes and pre-
tends to give a *Report* of. For whereas *Harris* in an *Answer* to
an *Interrogatory*, *Deposeth* upon *Oath*, That the words which the
Bishop then spoke to *Powel*, were, that he should not Pay *Mr. The Pro-
Medley*, the *Rents* of the *Arch-Deaconry*, but must Pay the same *mor. 26.
to the Bishop*, untill further orders from the said *Bishop*, this *Witn. ad
Writer* according to his wonted *Insincerity*, hath omitted *Interrogat.
the mentioning* the words, untill further Orders from the *3.
said Bishop*. And this Omission of them, deserveth to be
the more severely Rebuked, as it ought to be more carefully the
observed ; in that the Reciting of them would have both
ascertain'd the Reader, how the *Bishop* was become Entitled
to the Recieving them only for some certain time, and would
have also contributed to the instructing him, that it might be
upon a Just and Legal consideration, that they were for a sea-
son *Demised* unto him. And as he is accounted a *False* and
Perjur'd Witness, who *Swears less*, as well as he who *Swears more
than the Truth* ; so he is as much to be held a *Faithless Writer*,
who in the *Reporting* a *Testimony*, leaves out any thing that was
Material, as he that *addeth* thereunto. But then *Thirdly*, I have
this further to observe in way of Reply to the Allegation,
brought by the *Author* of the *View*, from *Harris's Deposition*,
that he hath strangely betray'd his Weakness and Folly, in
daring to say, that the *Testimony* of *Harris*, did fully make out
the *Simony* in the *Bishop's Collaring Mr. Medley* to the *Arch-
Deaconry* of *St. David's*. In that this *William Harris* (from
whose *Deposition*, he would Impose the Belief of so Heinous
and Scandalous a Crime upon his Reader, in reference to a
Christian, Protestant, and Church of *England* Bishop) is known
to be so Infamous a Person, and to have that little regard for

an Oath, that in the Neighbourhood where he Lives, and among such as are Acquainted with him, no Credit whatsoever will be given to any thing, which he either Says, or Swears. Of whose unqualifiedness to be held a Witness for rendering a matter of Fact so much as probable, and consequently altogether unworthy, and wholly incapable in Law, of being accounted one, whose single Testimony should be reckon'd sufficient, *to make a matter fully out*, having said enough before, I will therefore add no more here, but remit the Reader to what he will meet with in the foregoing Sheets. And this I will the rather do, in that what I am in the *Fourth* place to say by way of *Answer* to the *Allegation* out of the said *Harris's Deposition*, will render it demonstratively evident, that instead of the foremention'd *Simonies being made fully out from and by it*, there is not the least probability, that what the said *Harris* Swore unto, should be *True*. In that had the *Bishop* spoken the foregoing words to *Powel*, which *Harris* *Deposeth*, that in his hearing he did; it is morally impossible, but as *Powel* himself would have remembred them; so he would likewise (considering with what Malice and Revenge, as well as Forwardness and Zeal, he appear'd against his Lordship) have given and repeated them in his own *Deposition*. Which under all his Wrath and Rage against the *Bishop* of *St. David's*, he not having done, may uncontrollably assure us, that his Lordship never said any such thing. And we may be the more ascertain'd of it, forasmuch as *Powel* would never have conceal'd a Truth, by which either in his own, or in some other Mens opinion, he or they, could have thought the *Bishop* might be Prejudic'd, when at the same time, thro' his own Forgery, and under their direction, he not only Swore (as we have evidently and undeniably proved before) to diverse known and palpable *Falschoods*, but to *Physical*, as well as to *Moral Impossibilities*. So that without venturing either on *Presumption* (which I leave to the *Author* of the *View* as a Prerogative peculiarly due to him) or without exceeding the bounds, within which an honest and modest Man should confine and circumscribe himself, I may now appeal to every Impartial and Ingenious Reader, whether from any thing Alleged by this *Writer*, with respect to the *Bishop* of *St. David's* Collating *Mr. Medley* to the *Arch-Deaconry* of that *Cathedral*, his Lordship hath been proved Guilty of *Simony*, or of
any

any Crime, which hath the least affinity with it? And I do willingly submit it to the judgment of every upright and understanding man, who desires to be truly informed about the proceedings of the *Metropolitan*, against the said *Prelate*, on that account; whether I have not both made it evidently appear, that as the *Witnesses*, on whose *Depositions*, his Grace took upon him to Sentence his *Comprovincial Bishop*, were not such, (that I may use a phrase of *Cicero's*) who *ex fraude, fallaciis, mendaciis constare toti videntur*, stood compounded of fraud, fallacies, and Lies? and whether his *Metropolitanship*, in his condemning the *Bishop of St. David's*, on the *Testimonies* of such *Witnesses*, did not (as the *Orator* saith in the same place) *ex opinione, non ex veritate judicare*, act rather from an opinion, of what he would have things to have been, than according to what in reality they were? Nor upon a review of the whole process, can I avoid saying, that as the principle and inducement, on which the *Witnesses* Swore so much at random, and to such downright falsehoods, against the *Bishop of St. David's*, as they did, was, that *quicquid quorundam implacabilitati sedisset, id velutitas jusque perpersum urgebatur*; so that his Grace in decreeing the Sentence, he did, against his *Lordship* upon their *Testimonies*, hath both shewed himself too much *rumorum avidus*; and that he had exremely forgotten that of *Tiberius* to the Senate in the Case of *Silanus*, *non ex rumore statuendum, nec objecta crimina, pro approbatis accipienda*. But there are some people in the World, liable, when in power, to fall into those faults, which the same *Historian* calls *Dominationis flagitia*; and who do not so well remember, as they ought, what is said by another *Historian*, viz. *injuria licet justa, minime tamen in Magistratu exercenda*. All which, I do, for certain reasons, forbear to render into English.

So that having shut up my rancounter with the *Author* of the *View*, in reference to Mr. *Medley's Collation* by the *Bishop* to the *Archdeaconry* of *St. David's*; I am now ready to proceed, to an Examination; of what he hath endeavour'd to obtrude upon his *Readers*, about Mr. *Medley's* having been *Simoniacally Collated* by the *Bishop*, to the *Treasurership* of *Christ's Church* in *Brecknock*. And forasmuch as this *Author*, hath labour'd to prove it, by *Three* several *Depositions*, I shall with all the care I can, both hearken to what he alledgeth from every one of them, and shall withall make those Answers and

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View,
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Replies unto him, as that a man of good sense, and regardful of his Reputation, would rather chuse to fall under the chastisement of *Jack Ketch*, than of that which I shall be unavoidably obliged to give him. Now the *First Witness*, whose *Deposition* he pretendeth to give us, is one *Griffith Davis* who as he tells us, *Swears*, that in the year 1694. *Mr. Medley Granted a Lease of the Corps of this Dignity to the Principal Fellows and Scholars of Jesus Colledge in Oxford; and that he the said Griffith Davis, did pay the Fine for the renewing the Lease thereof, being 75 l. to the Bishop of St. David's about the Month of January 1694. and also 90 l. Arrears of Rent due from the said Colledge. And that he believes, the Bishop has received the Rent of the Treasurership, being 60 l. per annum, ever since Mr. Medley's Collation thereto.* Now the *First* thing, I have by way of *Answer* to Return unto this, is to Remind the Reader of what hath been declared at Length before, namely, how and upon what considerations the *Bishop* came to be Entitled to the Receiving both the *Rent* of the said *Treasurership*, and also the *Fine* for renewing the *Lease* of the *Corps*, to the *Fellows &c.* of *Jesus Colledge in Oxford.* And as his *Lordship*, hath owned the Receipt thereof in his *Exhibits*; and shewed both, upon what account he came to have a power Granted unto him for the receiving of them; and how upon the receipt of every *Summ*, which was to arise to *Mr. Medley* from his Ecclesiastical Benefices, his *Lordship* had discounted to *Mr. Medley* for so much of the *Debt's* being paid and discharged, in part of the whole which he had been owing to him. And if the *Writer of the View*, were not a senseless, as well as an unthinking man, instead of endeavouring to prove the *Bishop* Guilty of *Simony*, by and from any thing in *Davies* *Deposition*; he would from thence have concluded it impossible, his *Lordship* should be chargeable with the least thing in that affair, which should be found capable of having a *Simoniackal* Construction put upon it, by either wise, or honest men. For to think, that the *Bishop* from the first; and when he might have concealed the declaring it; would have required the *Fine*, and also order'd the *Rent* to be paid directly and immediately to himself; must either be to take the *Bishop* for a *Fool*, or to believe the *Author of the View* to be one, unless his being somewhat worse, will excuse him from that. For this I am sure of, that either that which they call an *Irish Understanding*,
or

or a certain *Outlandish Conscience*, must fall to some person's share. But then *Secondly*, in answer to the foresaid Allegation, produced by the *Author* of the *View*, I desire it may be observed, that to whomsoever the *Rents* of the *Treasurership*, were directly and immediately paid; yet this very *Griffith Davies* doth acknowledge upon Oath, that he hath seen diverse Receipts to *Jesus College Oxon* subscribed John Medley, for the payment of the same. Which as it sheweth that whatsoever was paid to the *Bishop*, arising in any way from the said *Treasurership*, was received by his *Lordship* in Mr. Medley's Name, and for his use; so I cannot forbear acquainting the Reader that this *Writer's* omitting to take notice of it, doth proclaim him to be a person of great infidelity. For as nothing could have more ascertain'd all mankind, that it was upon the sole and alone score and foot of Mr. Medley's being indebted to the *Bishop*, that he the said Mr. Medley had Demised the *Rents* of several of his *Benefices* to his *Lordship*, towards his being reimbursed and paid; so Mr. Medley's Subscribing his Name to the Receipts of Money paid either by the *Tenants*, or by the *Lessees*, is an avowed acknowledgment and declaration, that whatsoever his *Lordship* did receive, was only upon Mr. Medley's account, and for his use. Nor ought a worse construction to have been put on the *Bishop's* receiving the *Rents* of Mr. Medley's Dignities and Livings, than on *Griffith Davies*, and *Timothy Henley's* (in the quality of *Bursers*) receiving the *Rents* of *Jesus College*. Seeing it was fully in proof, that his *Lordship* received the former by the Order, in the Name, and for the use of his *Nephew*; as these two did the Latter by Authority from, and for the use of the *College*. And were it not, that I am unwilling to leave more lasting marks on the Memory of the *Writer* of the *View*, than *Ketch* would upon his shoulders, were he whipp'd from *Newgate* to *Tyburn*; I could fasten those brands of infamy, as well as of insincerity upon him, for this Omission; that he should be ashamed of being known, either by his name, or to be a Knight. But then *Thirdly*, I have this more to say in answer to the forgoing Allegation of the *Writer* of the *View*; namely, that the *Bishop's* receiving the *Rents* of the *Treasurership* of *Christ's Church* in *Brecknock*, was not Evidence in Law, for the proving Mr. Medley to have been *Simoniacally* promoted to that *Dignity*, did sufficiently appear by and from the Issue and event

event of a Trial at Carmarthen Affizes. Where upon one Arnold Bowen's pretending a Title (as the King's Presentee) to the Arch-Deaconry of St. David's) the whole matter of Mr. Medley's having been *Simoniacally* Collated to the aforesaid Treasurership, was also brought upon the Stage. But tho' all, which was either Alledged before his Grace of Canterbury, or that hath been Related by this Writer, was then and there Deposited and Sworn unto; yet the Court neither did, nor would allow that there had been any *Simony* in the case. Which as it sheweth, with what Justice, as well as Moderation, matters are Tried and Decided in Civil Courts, beyond what they are in Ecclesiastical; so it is not very much for the honour of the great Metropolitan, to have made that in a Comprovincial Bishop, a Crime of *Simony* before him; which our Judges at Common Law would not admit to be so. And as it is not unworthy of remark, then even under the late Reign, when the shewing Pique and Revenge against the Bishop of St. David's, was held a piece of fashionable Courtship; yet the Judges in the Court of Exchequer, could not be prevail'd upon, to Justify and Confirm the Sentence of Deprivation, pronounced against that Prelate by the Arch-Bishop of Canterbury, so soon as some People expected they should have done it; so it is to be hop'd, that under the Reign of Her present Majesty, when not only

Tacit. in *Libertas & principatus, res olim dissociabiles, miscetur*, the
Vir. Agric. *Prerogative of the Crown, and the Priviledges of the People, are become happily united*; but when we neither need to have any apprehension, *minui jura, quia gliscit potestas*, that Justice and Right will be overthrown, by reason of an Usurpation and exercise of an Illegal and undue Power; nor to fear that *Delati magis inter damnatos, quam reos, sunt habendi*, such who are Accused, shall be certainly Condemned, tho' they cannot be Convicted; I do say it is now to be hop'd, that the Bishop of St. David's may both get his Cause brought under a Review, and have it Judged with less prepossession and prejudice, than it formerly was. And that as such as Lucy the Promoter, Edm. Meyrick, Jer. Griffith, and Tho. Powel, who were the principal Witnesses, and who were evidently proved to have been engaged in a Conspiracy against his Lordship, and who had combined *calumnias insonti adfigere*, to asperse an innocent Prelate, with crimes, which were as much forged, as they were Scandalous, shall not have that implicate Faith given to their Depositions, as was by the Metropolitan;

Tacit. in
Vir. Agric.

Id. Annal.
Lib. 3.

Id. Annal.
Lib. 16.

metropolitan; so that they who are *Eruditores facti ad nocendum*, *Amnian*
per clandestinos versutosque rumigerulos, become skilful in inju- *Marcel.*
ring others, by means of clandestine and crafty whisperers of Lib. 14.
Falsehoods and Lies, shall not have Interest and Authority for
misleading those, before whom the Re-examination of the
Bishop's Cause shall come, as some of them had, when they
sat at the hearing of it, as *Assessors* to and with his Grace of
Canterbury. Whereunto I may in the Fourth place, be allowed
to add as a further Answer, to what the Writer of the View,
hath endeavour'd to obtrude the belief of on his Readers, by
and from Davies's Deposition, of the intervention of some
Simoniackal Transaction, in the Bishop's Collating Mr. Medley to
the Treasurership of Christ's Church in Brecknock; Namely, that
were this Author impartial, candid and ingenious, he would
find cause, for charging his Accusations of Simony upon other
Prelates, instead of fastning them on the Bishop of St. David's.
For besides, that they who were Intrusted and Empower'd by
the late King William, to Dispose of the Ecclesiastical Livings,
which were in the Gift of the Crown, did for the most part
apply and exert the Authority that was lodged in them, to
the introducing and advancing those to the best Church Pre-
ferments, who were of most Latitudinarian principles, with
respect to the Doctrine, as well as to the Discipline of the
Church of England, and who were accounted readiest, to be-
tray not only the Priviledges of the Lower House of Convo-
cation, to the Upper; but the very Rights of the Church to
the Regal; I do say that besides this, in the doing whereof,
(if we may believe such as have Written best concerning
Simony) they acted as Simoniackally, as if they had promoted
those Persons upon Contracts and Stipulations of Receiving
Gifts and Bribes; there are other things importing positive
and direct Simony, spoken too publickly of some of them,
who were in that Commission. And were I as ill natur'd as
to harken unto, and as uncharitably credulous, as to be-
lieve Reports concerning some Prelates, as this Author hath
shew'd himself to be in relation to the Bishop of St. David's,
I could give an account of diverse things very broadly
talk'd of, which would fasten aspersions of matters that
have great affinity with Simony, upon those whom I forbear to
name. But I being one, who can neither allow my self to
give credit to every defamatory story, that is raised of those

in the highest Dignities of the Church; and who much less dare be so malicious as to spread it; I shall only beg of the *Writer of the View*, that he would do that office of Friendship for a certain *Prelate*, as to Vindicate him from the Scandalous Imputation cast upon him, of *having had a Bed worth several Hundred Pounds, presented to my Lady his Wife*, for the having procured a rich *Doctor of Divinity*, to be made a *W. P.* And tho' I will not say that it was so much as upon the former account, and much less upon any inducement which carries the least alliance to the *Latter*, that diverse of those, who had been vested with the Authority, I have mention'd, have been very desirous to get the said *Comission Renewed*, and the like *Faculty* granted unto them, by *Her present Majesty*; yet I dare say, that all, who are either zealous for having the *Queens* honour preserved; or that do wish, the *Church of England*, may be kept on the *Bottom*, upon which She is by *Law Established*, are not only wonderfully pleased in themselves, but first thankful to *God*, and then to *Her Majesty*, that she would not suffer *Her Self* to be prevailed upon, to allow that *Power* in any *Hands*, save *Her own*. For tho' it is not to be question'd, but that her *Majesty*, will inviolably continue the *Liberty* Granted by *Law* to *Dissenters*, provided they do so behave themselves, as not justly to forfeit it (the last whereof I heartily pray they never may) yet *Her Majesty* hath more of a *Church of England Conscience*, as well as *She* hath more of an *English Heart*, than to Transferr such an Authority to any of doing those things in and about Ecclesiastical affairs, and Church Preferments; which we are not to wonder at the having seen warranted, as well as connived at, by a *Prince*, who was as much *Hugonet* and *Presbyterian* at the *Hague*, as he was *Episcopal* at *Kensington*, *Hampton Court*, and *White-Hall*.

But it is more than time, that I should attend on the *Author* of the *View*, to the next *Deposition* produded by him, for proving that the *Bishop* had *Simoniacally* Collated *Mr. Medley* to the foremention'd *Treasurership*, which is that of one *Timothy Huxly*, who *Deposed*, That since November 1695, he had received several importunate Letters, subscrib'd *Da. Robertson*; intimating that the *Bishop of St. David's*, had occasion for the half Years Rent due, from the *Corps* of the *Treasurership*, at *Michaelmas 1695*. And that his *Lordship* should disappoint several persons in *London*,

if that Rent were not speedily Paid. And that thereupon be the said Huxly, procured a Bill from Mr. Porter of Oxon, to a Goldsmith in London, to Pay to the Bishop 30 l. which Bill was Paid accordingly. In the giving an Answer whereunto, I do not think it needful, (nor will any one of common sense, accompanied with a little share of probity, believe there should) say any thing more, than what has been already offer'd in Reply to the foregoing *Deposition*. For as the whole Sworn unto by Huxly, doth only amount to a proof, of the Bishop's demanding and receiving the Rent of *Langamarch*, whereof the *Fellows* and *Scholars* of *Jesus-College, Oxon*, had obtain'd a *Lease* from Mr. Medley (to whom as *Treasurer* of *Christ's-Church* in *Brecknock*, the granting of one upon a *Fine* and a reserved Rent, did rightfully and Legally belong) for 31 Years, at the Rent of 60 l. Yearly, and the Payment of a *Fine* of 75 l. so I defy all mankind, to infer and conclude any thing from thence, in the way of fair Reasoning, that hath so much as the umbrage or air of *Simony* in it. And (which hath been intimated before, but whereof the Reader, in order to his discerning the impotent Malice of some People, cannot be put often enough in remembrance) as the Bishop made no Secret of it, in that he was able to Justify to the World, (as hath been sufficiently done) upon what Lawful and Valuable considerations, he was become Entituled to the doing it. And his Lordship being so well known, to be both a Man of great Prudence, and one who hath been always very regardful of his Reputation; we may assure our selves, that he would have used all the Industry and Artifice imaginable, for keeping it conceal'd, had he been conscious of any thing therein, by which he could have been Criminally affected. And if the Author of the *View* will give me as good Reasons, either according to the Rules of *Divinity*, or of *Law*, for a certain *Prelate's* allowing his Wife to Receive the Rich *Bed*, which I lately mention'd; as I have given for the Bishop of *St. David's* Receiving for a few Years the Profits of some *Mr. Medley's Ecclesiastical Preferments*; I do promise that I will render to the said Author my most solemn and distinguishing thanks, and that as well by reason of the singular deference, which I do maintain for them of the *supream Order*, as because of the respect that I pay to the *Clergy* in general. But as I do own my self somewhat heated against this Writer, for having shew'd so much Malicious, and yet at the same time,

such weak and feeble Hatred against the *Bishop of St. David's*, in Slanderously Defaming him with *Simony*, for Actions which are of no Alliance thereunto; so that *Author* is to ascribe it to the contempt, which I have for his *Understanding*, that on this occasion I treat him not with the severity that I otherwise would. For as no Credit can be acquir'd by Triumphing over a *Writer* of his shallow *Intellectuals*, so nothing could have recommended him, to be imploy'd in Justifying the *Proceedings* of the *Metropolitan*, in the *Case* of the *Bishop of St. David's*, save his *Insolence*, his *Sophistry*, and his being altogether *Mercenary*. And his Arguing with so much Haughtiness, and at the same so very *Inconsequentially*, from *Huxly's* Deposition, is an undeniable evidence, that with a *Hackney Pen* in his *Hand*, he hath a soft place in his *Head*. For if from the *Antecedent*, of the *Bishop's* having *Received* the forenamed *Rents*, it be a good *Consequent*, and *Logically* drawn, that they were properly and entirely for his own and sole use, and because of a Right he claimed in and to them, no otherwise than for the *Payment* of a Just *Debt*; we may as well conclude, that whatsoever either a *Steward* *Collecteth* and *Receiveth* of the *Rents* of his *Lord* or *Master*; or that whatsoever is returned out of the *Country* to a *Goldsmith*, or *Banker* in *London*, and *Received* by them, is all to be held and accounted their own, and to be entirely *theirs*, and not to belong unto, and to be for the use of those, in whose behalf, and by whose authority it was *Collected*, or in whose names, and for whose service and benefit it was *Returned*. In a word, the *Vulgar Fable* of *Goodwin Sands* being caused by *Tenterden-Steeple*, may by as *Logical* an *Inference*, be affirm'd for an *Apodictical Truth*; as the *Bishop of St. David's* being *Guilty* of *Simony*, can be asserted, from his *Lordship's* having *Received* the *Rents* of such and such of *Mr. Medley's* Church *Benefices*. So that in my opinion, the whole of that *Aspersions* cast upon the *Bishop*, is to be resolved into this, namely, That some People, having (for reasons not fit to be publicly owned) agreed to oppress him, were therefore in order to the effecting it, to get him *Calumniated* and *Defamed*. Wherein they acted much after the manner of the *Souldier*, who having design'd to *Plunder* a *Countryman*, charged him with the

having

having *Whistled Treason*. For as they of the *Musket*, whensoever they have a mind to perpetrate an Injust and Injurious thing, assume the *Vizor* of *Zealots* for the cause, in which they receive *Pay*; so the Men of the *Ecclesiastical Gown*, at what time soever they think it their Interest to get one Ruin'd, they put on the *Mask* of *Religion*, for the doing it the more effectually, as well as plausibly. And tho' I am sorry to say it, yet I cannot omit doing it, that as *Religion* was never made such a *Skreen* and *Stale* for Villanies of all sorts, as it hath been for above half an Age in most parts of *Europe*, and particularly in the *Kingdom* of *England* and *Scotland*; so I am forc'd to add, that it was never pretended unto, and made a *Plea* for worse purposes (which shews *Hypocrisy* to have attain'd to its *Zenith*) than it hath been of late. When not only many others, as well as our *Legionmongers*, have been endeavouring both to fully the Honour, and blacken the Reputations of the greatest, as well as the best Men of the Nation, and likewise to stir up the *Mob* to Run at *Muck* upon all who were not of a certain Faction, (that had most unjustly assumed the Stile of *Partizans* for the Protestant cause) but when even *Ecclesiasticks* have grown enrag'd as well against those of their own *Orders*, as of their *Communion*, and have made such as are avow'd Adversaries to both, their Favourites and Confidants, and that upon no other account whatsoever, save that the latter run in with them into their little bigotted and violent Projects, when the former thro' their being true *English Men*, and of *Church* of *England* Principles, neither would nor could do so. But of all those Practices, both against the *Bishop* of *St. David's*, and others, I hope the Nation will now come to have an other Sentiment and *Idea*, than some weak and deluded Persons, were prevail'd upon to entertain and have; in that as most Men are both more enlightned and awak'ned, than to suffer a Company of Factions, as well as Party People, *Scelera nuper reperta*, Tacit. *præcis verbis obtegere*, To put Ancient and Legal Terms and Names, Annal. upon Crimes which they have meerly as well as newly Forged, Lib. 4. in order to procure those, whom they accuse of them, to be the more easily run down and ruin'd; so we may assure our selves, that *nullum nunc mendaciorum*, there will be no more Pensions Granted and Paid out either of the *Treasury*, Id. Hist. or the *Privy Purse*, to your *Tom. Doubl's*, or to any such, Lib. 4. who have both valued themselves, and have been in favour

with others, for their *skill* and *Impudence*, in *Inventing* and *Spreading* Fictions and *Lies*, towards the defaming Vertuous and innocent persons, and the getting them oppressed. And if any Money shall flow out of private Pockets, for encouraging the *Coyners* and *Minters* of fabulous and slanderous stories, or for recompensing the *Hackney Writers*, and the *Mercenary Pedlers*, who scatter and disperse them; as I shall leave the latter to feed the pride and Ambition, and to Minister to the Envy and Revenge of the former; and also those to whose passions and designs they make themselves thus subservient, to lavish away as much as they please, in gratifying the Covetousness of the others, and in feeding them in their Riot and Luxury; so I shall likewise leave them both to *Nabb* one another, while they lift their Heels against and kick, as well as *Bray* at every one else.

Summary
View,

P. 34, 35.

And I shall now proceed to the Examining of what hath been produced by the *Author* of the *View*, out of and from the *Deposition* of *Jeremiah Griffith*, which is the last he brings, toward the proving *Simony* on the *Bishop* of *St. David's*, in his *Collating* of *Mr. Medley* to the aforesaid *Treashurership*. And that which he tells the Reader, is, that *Griffith* *Deposes*, that there has been a general Fame, amongst the most intelligent and reputable persons, that the *Bishop* *Collated* *Mr. Medley* to this *Treashurership* *Simoniacally* and *Corruptly*, and that he believes there is good ground for such a Fame: For upon the vacancy of that Dignity, he the said *Griffith* making application for it, received a Letter from the *Bishop* himself wherein he told the Deponent, that he had a Power to hold Three or Four Benefices in *Commendam*, and that He would not pretend to such a self denial, as not to gratify himself at that time. And the said Deponent, as an other ground of his belief of this Fame, farther *Deposes*, that *Mr. Medley* being Indebted to the said Deponent in the Summ of 8*l.* he wrote to, and call'd upon him for it, but could get no Money; and that upon *Mr. Medley's* complaining of want of Money, the Deponent desired him to send an Order to the Tenant of the Corps of his *Treashurership* to Pay it; but that *Mr. Medley* sent an Answer to the said Deponent, that he durst not for the *Bishop* meddle with that Rent. Now in my giving Answers hereunto, as I have diverse things to offer, so I shall endeavour to be as short, as the matter will allow. And the First thing I would say, is to beseech the

Reader,

Reader, to call to his remembrance, what hath been already represented at length, *viz.* how and upon what grounds and considerations, the *Bishop* had the *Receiving* of the said *Rent*, *Demised* and made over by *Mr. Medley* unto him for some time. For thereby it will appear to the satisfaction of all that are unprejudiced, that there is nothing in all this produced by the *Writer* of the *View* out of *Griffith's Deposition*, which can any ways criminally affect his *Lordship*, and much less fasten *Simony* upon him. But then I am also in the *Second* place farther to beg of the *Reader*, that he would allow himself to Review, and seriously to consider, the *Character*, that hath been given of this *Griffith* in some of the foregoing *Sheets*. For by that he cannot avoid being convinced, that the said *Griffith* is one of such an infamous reputation, as by no Law whatsoever, can he be accounted *Testis idoneus*, a qualified and competent *Witness*. There being not so much as one *Exception*, assigned either by *Civilians*, by *Canonists*, or by *Casuits*, for disabling and precluding a person, from giving *Testimony* in any *Cause*, or before any *Court* whatsoever; which we have not fully proved to obtain and to be in force against this *Griffith*. So that to have it told us, the *Bishop* of *St. David's* was convicted and *Condemned* upon his *Deposition*; is in effect to be told, that he was unrighteously and illegally *Convicted* and *Condemned*. Nor could the *Writer* of the *View* have either said more in *Vindication* of the *Bishop*, from the crime whereof he was *Accused*; or have fastned greater reproach and ignominy, on the proceedings of the *Archbishop* of *Canterbury* against his *Lordship*; than to acquaint us, that it was upon *Griffith's Swearing* to such and such things; that the former, was laid under a *Sentence* of *Deprivation*, by the latter. But then *Thirdly*, I do moreover desire it may be observed, how that in the very foregoing *Allegation*, cited by the *Author* of the *View* out of *Griffith's Deposition*, there is something affirmed, as well as confessed, to have been *Sworn* unto by him, which it is morally impossible should be true. For whereas it is said by this *Writer*, that *Griffith* declared upon Oath (as indeed he did) his having received a *The Pro-* Letter from the *Bishop*, wherein his *Lordship* told him, that he had *mor. 8.* a power of Holding Three or Four Benefices in *Commendam*; *Wim. ad* he the said *Griffith*, must undeniably have therein *Sworn*, to *Artic. 6,* a *Gross* and notorious *falsehood*. In that as the *Bishop*, was *and 7.* by

by his *Faculty*, allowed only to Hold two *Dignities*, and two *Benefices*; so it is not to be so much as imagined, by any man of Common Sense, that the *Bishop* should write to *Griffith*, that he had a Power to hold Three or four *Benefices*. And we may reckon our selves fully assured, that the *Bishop* never wrote so to *Griffith*, in that his *Lordship* could not but understand, that *Griffith* knew (as well as himself did) that He had no such Power by Vertue of his *Faculty*. Nor is it to be thought, but that *Griffith*, would immediately have at least told his *Lordship* of his mistake, if he had not likewise upbraided him, for pretending such a *Sham*, as well as ungrounded Excuse, for denying him the *Treasurership*, for which he had made application unto Him. Especially when *Griffith* had so fair an occasion, and withall so provoking a motive for doing it, as he swears he had, both with respect to the one, and to the tother. But as the *Bishop* of *St. David's*, never laid claim, to the Holding more by reason of his *Faculty*, than two *Dignities*, and two *Benefices*; so he was always at that distance from the covetousness his Enemies charge upon him, that he never Held but one *Benefice* at a time in *Commendam*, and two *Dignities*. And as He not only Resigned the two *Dignities* within Six months after He held them, but also gave back to Mr. Medley (on whom he bestowed them) all the profits, which had arisen to his *Lordship* from them in that time; so he Resigned the *Benefice*, which he held in *Commendam*, a great while ago. So that from *Griffith's* deposing upon Oath, that the *Bishop* had told him in a Letter, his having a Power to Hold three or four *Benefices*; we may be abundantly satisfied, how much this *Griffith* swore at random, and how little regardless he is, whether what he Swears unto, be either true, or practicable. And this leads me to what I am in the Fourth place, to Reply unto the aforesaid Allegation. Namely, that how false soever some things in it are, and how impertinent, as well as insignificant, the whole of it is, with respect to the design, for which it was Spoken by *Griffith*, and is Reported by the Author of the View; yet such is both the malice of the said Author against the *Bishop*, and so great is his infidelity and treachery as a Writer, in the account he gives of the pretended Proofs of the Articles Exhibited against that Prelate, that he hath dared, in reference to the very particular, I have been just now chastising *Griffith* for, to put more into his Report and History, than was either

either in *Griffith's Deposition*, or in any *Deposition* whatsoever. For whereas the whole which *Griffith* Swore unto, was only that the *Bishop* had told him, that his *Lordship* had a power to Hold three or four *Benefices in Commendam*, but not that He actually Held so many; this faithless and fabulous *Writer*, hath had the impudence, to impose this *Lie* as a *Truth* upon his Readers, viz. That the *Bishop* had resolved to hold both the *Arch-Summary* *deaconry* of *St. David's*, and the *Treasurership* of *Brecknock* in *View*, *Commendam*, and to Superadd them to the three or four *Be-* P. 35.
nifices held by his *Commendam*. For this *Writer*, is not only so grossly Ignorant of, and so little acquainted with the *Laws*, concerning *Ecclesiastical Jurisdiction*, and Church affairs, (tho' by his Station, and by reason of the *Post* he hath been promoted unto, he ought to have been therein fully Instructed) as not to know, what *Power* a *Bishop* hath by his *Faculty* and what *Power* he hath not; and that no *Bishop* hath *Power* thereby to Hold above two *Benefices*; but he is likewise so insincere in Reporting the *Depositions*, which he takes upon him the giving the World an *Historical* account of, as that from *Griffith's* having barely Sworn, that the *Bishop* had said, he had a *Power* to hold three or four *Benefices*; he doth positively affirm (and pretendeth to do it from thence) that His *Lordship* actually Held so many. Nor do I see, how it is possible to excuse him in this, from having knowingly imposed a *Falschood* upon the World, under the Name and Stile of a *Truth*; notwithstanding that I would be very willing to do it, tho' it were at the expence of, and with some Reflection upon his Understanding. Neither will I take it amiss, if his Friends, for the vindicating his *Conscience*, and the acquitting him from being one, who scrupleth not first to invent and make, and then to Write and Publish a *Lie*; I shall transar the blame unto, and lay it upon his *Intellectuals*, as being of a size, that leaves him under an Incapacity, of either distinguishing between *Actus* and *Potentia*; or between the *Sign* of a *FutureTense*, and that of a *Praterperfect*. Nor can I in Fifth place omit taking notice, and that by way of Reply to the aforesaid *Allegation*, how both *Griffith* in his *Deposition*, and the *Writer* of the *View* in his *Report*, (not to mention at present the many other Reasons, whereof I have assigned several before, why *Griffith* proved such a malicious Enemy of the *Bishop's*, as he appeareth to have been) came to Swear so Wrathfully, and
 with

with so little regard to Truth, as he did, to the *Bishop's* having *Simoniacally Collated* Mr. Meley to the *Treasurership* of *Brecknock*, viz. That this *Griffith* had solicited the having it bestow'd on himself, and that the *Bishop* had refused to Grant it to him. And tho' his *Lordship* in denying to *Conferr* that *Dignity* upon *Griffith*, did what became a Good, Wise and Just *Prelate* to do; in that *Griffith* had more *Preferments* of one kind and another before, (as hath been shew'd in some of the foregoing Sheets) than he was either any ways worthy of, or took care to perform and discharge the Duties Incumbent on him, with respect to them, as he should have done; yet it may not only be very reasonably suspected, but may be affirmed with a *Moral* certainty, that it was thro' and because of the *Bishop's* denying to *Collate* *Griffith* to that *Dignity*, that he was so furious as well as forward, in *Swearing* to it's having been *Simoniacally* Conferred on Mr. *Medley*. For such was the *Coyetousness* of *Griffith*, for Engrossing all the most beneficial preferments in the *Diocess* to himself, that not to be complied with, and gratified, in the being *Collated* to whatsoever places, he had a mind to be possessed of, filled him with rage against his *Diocesan*; and provok'd him to the revenging himself; First in raising the calumny upon his *Lordship*, and then in *Swearing* to it, that he had *Simoniacally* conferred the *Treasurership* of *Christ-Church* in *Brecknock* on Mr. *Medley*. And had the *Writer* of the *View*, been so well acquainted either with *Civilians* or *Canonists*, (not to say with other good Authors) as one called a *Doctor* in the *Civil Law* and of *Doctors Commons*, might have been presumed to be, he would have found, that *Griffith's* pretending to the foremention'd *Dignity*, and the being refused it, was a just and a legal Exception, against the validity of his *Testimony*, concerning its having been criminally bestowed on another. Seeing that as *Cicero* says, *Testi irato non est credendum*, one who is known to be angry, because of a supposed offence done him, is not to be believed, in any thing he testifieth against the person with whom he is Angry, especially about that, wherein he conceiveth himself to have been Injured; so it is an established Rule among the *Doctors*, that no man is to be admitted a Witness against a person, to whom he beareth a *Revenge*, or in a cause wherein he may hope to compass it. And if both *Civilian's* and *Canonist's* be agreed, that *causarum*

Sol-

Orat.

Sollicitatores, in illis causis, quas sollicitasse noscuntur, non sunt ad- Reformat.
mittendi testes, and that non potest quis esse testis in causa, in qua Leg. Eccle.
fuit Advocatus, vel procurator, such as have been Solicitors, or 1st. de
Advocates of and in Causes, are not to be received as Witnesses 17. Insti-
in those Causes; we may fully assure our selves, that they who tur. Fur.
have been Suiters for such a place or preferment, and have Canon.
been denied them, ought not be allowed for Legal Witnesses, Lib. 3.
towards the proving their having been bestow'd criminally Tit. 14.
upon others. But in the Sixth place, I have something yet
further to say, in Answer to the aforesaid Allegation of the
Writer of the View, from and upon Griffith's Deposition, and
particularly to that part of it, of their having been a General Summary
Fame, that the Bishop had Collated Mr. Medley to the Treasurer-View,
ship Simoniacally and corruptly: viz. That it is no wonder, P. 34.
such a Fame was become so general, considering how ma-
ny had conspired, and combined together, (whereof we have
given an account before) first to Raise, and then to spread
it. Nor ought any Strefs to have been laid, either upon their
being such a Fame, or its being so general. For was there ever
a more General Fame of any thing whatsoever, not only through
these Dominions, but through all Europe, than that the Earl
of Essex had been murder'd in the Tower; and yet nothing is
more certain, (and which is also acknowledged by his own
nearest Relations) than that he was Felo de se. And the
Report of his having been murder'd by others, of which,
thro' its being so industriously spread, there came to be so
general a Fame, was only the malicious Fiction of a Republican
and Phanatical Faction, for the defaming of K. Charles Second
and his Royal Brother the Duke of York, in order to the-
subversion of the Monarchy. And if a Fame far more gene-
ral, than that of the Bishop of St. David's having Simoniacally
Collated Mr. Medley to the Treasurership of Brecknock, were of
any significance, for rendring that true, of which there is
such a Fame, or were sufficient for obtaining credit to be given
to it; the Duke of Monmouth, had been alive for several years,
after some thousands had seen him Executed on Tower Hill.
For I am not only very well assured, that there was a very
Common Fame of his being so; but I am inclinable to think,
it would have been kept up much longer than it was, if
they who Raised, Spread, and gave encouragement to the
belief of it, had not found a Prince then actually Living, by

and upon whom they could better serve their ends and designs, than they could have done by that Fiction and Fable. Nor ought I here to omit taking notice of the *Fame* that hath gone thro' the Kingdom, of the late *House of Commons*, and of many of the most honourable and worthiest members thereof, as that they were *French Pensioners*, and in a *Conspiracy* against the *Late King* and the *State*; when all Reported of them, was meerly Forged and Invented by a Party and Faction of Men who are neither Friends to the Monarchy, nor to the Church of *England*, as it is by Law Establisht. And as it may be very justly believed, that all those Lies and Fables, which were so industriously spread, and too much believed, were *Minted* and *Stamp'd*, by the late *Masters*, and the famous *Coyners* of new Politicks, in order to the getting a Fannatick and Republican *House of Commons*, so it may be justly feared, that what some People had both in View and design thereupon, was no less than the getting that *House* to fall into measures, for excluding the present *Queen* from *Succeeding* to the *Throne*, could the *Late King* have been either so unjust, or ungrateful, as to have desired it of, or accepted it from them. And were it not that the *Writer* of the *View* is wonderfully unacquainted with good *Authors*, he would have known, that nothing is more mendax, a Liar than *Fama*, Fame. Whereof, for the endoctrinating his plumbeous Cerebrocity (if I may be allowed to use a phraze, tho' obsolete, of *Sr. Phillip Sidney's*) I shall give two or three Testimonies out of a *Writer*, who always had, and still hath the reputation in the World, of having been a person of good Sense. Namely, that in *Magnis mendaciis, credula Fama*; Fame doth soon obtain in reference to the greatest Lies: and that thro' their very being so, *cuncta (ut mos Fama) magis credita*, they are the more readily and firmly believed, as is usual in matters taken up upon Fame: and withall that more *Fama, credentium otio augentur*, after the manner of *Fame*, they become enlarged, thro' the Laziness of a credulous People, to inquire into the truth of them. But then in the 7th place, I have still further to add, in way of Reply, to *Griffith's* having Sworn, and the *Author* of the *View* Reported, that such a *Fame* was amongst the most Intelligent and Reputable persons; viz. that tho' they of those Characters could not avoid, hearing it, yet it is the imposing a direct and palpable falsehood upon the world, to say that they ever believed it, where-

Tacit.

Hist. Lib.
1.

Id. Annal.
Lib. 3.

Id. Annal.
Lib. 14.

of having given so many Instances before, both of Persons of better quality, and of greater reputation, who believed not a syllable of it, than any of the *Promoter's Witnesses* were, I shall not here insist upon it again. But instead thereof, shall only put the *Author* of the *View* in mind, that as there are many things, which ill men invent and spread; and which they who are either of a Faction with them, or are very weak, and thereupon extremely credulous, do greedily receive and warmly believe; which such as are of probity and good sense, do not give the least credit unto, tho' they cannot escape the hearing of them; so I will venture to affirm, that they who believe not a word of the *Bishop* of *St. David's* having *Simoniacally* collated *Mr. Medley* to the *Treasuryship* of *Brecknock*, or to any other *Dignity*, or *Ecclesiastical preferments* whatsoever, are both much the majority for Number, and far the more preferable for virtue, to those who took upon them to asperse his *Lordship* with that crime. So that if either *multis Testibus*, or *non Testibus sed Testimoniis, est credendum*, Faith ought to have been given to the most Witnesses, or to the Testimonies of those, who were of the best quality, and of the greatest probity; the *Bishop* of *St. David's* instead of being *Condemned* upon the *Articles Exhibited* against him, and the *Depositions*, which were brought in proof of them, would in any impartial *Court of Judicature* have been acquitted, and declared a very Upright and Innocent Prelate. But as it was his *Lordship's* misfortune, to be accused by a set of men, *qui pari dolore aliena commoda, ac suas injurias metiantur*, who were equally offended at kindnesses done to others, as at what they called injuries done to themselves; and who also knew; that in order to the escaping punishment themselves, as well for other crimes, as for slandering their *Dioceſan*, *subsidium ab audacia petendum*, they were to put on all the impudence imaginable in their *Deposing* against him; and it being likewise his *Lordship's* unhappiness to have the Trial of his cause come before some, who both by reason of the pique born against him, by such as they stood devoted to serve; and their liableness to the failure reprehended by the *Historian*, of being such, *qui omnem infima plebis rumorem affectant*, who are too much influenced by every little foolish Story dispersed among and hearkned unto by the *Canaille* and Mob; the *Bishop* of *St. David's* thereupon, came to be Treated as he was, and (as I said before) to be put inter

Tacit.
Hist.
Lib. 1.

Id. Annal.
Lib. 15.

Condemnatos, without much regarding, whither he was *intercos*. But still further, I have this to add in the *Eighth place*, and that by way of *Reply* particularly to that part of *Griffith's Deposition*, in which he Swears to his writing to *Mr. Medley* to desire him to Order the Tenant of the Corps of his *Treasurership*, to pay him the said *Griffith*, the Sum of 8 l. which *Medley* was owing to him; and that *Mr. Medley* sent an Answer to *Griffith*, that he durst not for the *Bishop* meddle with that Rent: namely that this instead of implying, and much less of proving, any *Simoniacal Contract* between the *Bishop* and him, it plainly sheweth, that *Mr. Medley* was a person incapable of being drawn into, and involved in such a crime. In that it doth even thereby appear, that he was so honest and upright a man, as not to break in upon that, which he had *Demised* to the *Bishop*, towards the payment of a Debt, which he the said *Mr. Medley* was justly owing to him; nor would so far depart from the *Bargain*, he had made with his *Lordship*, as to appoint the Tenant of the Corps of the *Treasurership*, to divert any part of the Rent thereof, from the *Bishop's* use, during the time, that by reason of the often foremention'd consideration his *Lordship* had a Right granted unto him for the receiving of. Nor indeed could *Mr. Medley* (had he even been to receive the Rent of the Corps himself and had not transferred and made it over for such a season to the *Bishop*) have sent such an Order to the Tenant; forasmuch as he was not his Tenant, but the Tenant of the *Lessces*, or of the *Fellows and Schollars* of *Jesus-Colledge Oxon*. And as *Griffith* discover'd himself to be a Knave, in desiring *Mr. Medley*, to send an Order of that kind, to a person, who was no Tenant of his, but a Tenant to others; so the *Writer* of the *Viem*, hath shew'd himself to be both a very weak, and unthinking man, and a most impertinent *Writer*, in his presuming to argue to the disadvantage of *Mr. Medley's* reputation, from his not doing a thing, which he neither ought, nor was in his power to do. Nor can any who are Wise, Just, and Impartial, avoid observing, how illegally and unrighteously the *Bishop* was proceeded against, when a *Simoniacal Contract* between Him and *Mr. Medley*, in relation to the *Treasurership* of *St. David's*, was admitted to be proved by so nonsensical an Allegation, as *Mr. Medley's* refusing to do that, which he had no right or power to do; and which without the exposing himself to be reckon'd for a Fool,

Fool, he could not have offer'd at the doing of. 'Yea I may say, that from Mr. Medley's sending an Answer to Griffith, that He could not for the Bishop, meddle with the Rent of the Treasurership of Brecknock, all people who have not something very much amiss, either in their Understandings, or their Wills, instead of inferring from thence, that there had been any thing *Simoniackal* between them, in relation to the ones being Collated by the tother to that Dignity; must according to all the Rules and Measures of Judgment and good sense, conclude that it was *morally* impossible, there should have been any such thing. Seeing we may be assured, that had any criminal thing interveen'd between them, in that matter, and more especially had there been any *Simony*, in the Case, Mr. Medley, in the room of publishing his Lordship's meddling with that Rent, would have used all the artifice imaginable, to have Cover'd it. And his proclaiming it with that openness he did, doth abundantly demonstrate, that the Bishop's having had a Right granted to him from Mr. Medley for the Receiving of that Rent, must have been for and upon such Considerations, as could neither bring shame and ignominy upon them, nor give them any legal ground of fear and dread. Finally and in the Ninth Place, I have one thing moreover still to observe, by way of Reply to the afore-said Allegation, and particularly with respect to two rude malicious and groundless Expressions of the Writer of the View. Whereof the one is, *That the Bishop having resolved to hold the Arch-Deaconry of St. David's, and the Treasurership of Christ's-Church in View, Brecknock in Commendam, did not hold them, in that it was a better* Summary
p. 35.
Device, to give them to Mr. Medley, and the Bishop Receive the Rents of them, than if the Bishop himself should have held them: And the other is, *how justly Mr. Medley was held by many People, (as Mr. Harris smears he was) a Person made use of by the Bishop, to fill up places for himself to take the Profits.* In my bestowing Reflections whereupon, I cannot forbear acknowledging, that I am put under great Temptations, of being very severe upon this Writer. And were it not, that I should be thought, to whip others over his shoulders, I should give him a much sharper Chastisement, than out of deference to them I will. All I intend therefore to say, is, that as the whole of this hath been already made appear to be meer Forgery, and down right Fiction, and that the calumniating the Bishop of St. David's, after this manner, doth not only both declare his own implacable Malice Ibid.

lice against that *Prelate*, and gives a pattern, as well as opens away, for Treating all them and of the *Sacred Orders* after a rate, that no wise Men would, nor good Men dare do; but it proclaimeth this *Writer* to want common Sense, and to be one of as great scarcity of Brains, as he is of largeness of Conscience, and of latitude in Morals; that he can imagine the *Bishop* would *Simonically* bestow those *Dignities* on Mr. *Medley*, that he might under the vail and cover of his Name, and in the virtue of a nominal and collusory Right in him, take the Profits of them, when by reason of his *Faculty*, he could openly and avowedly have *held* them, and have demanded and received the Rents, by a Right Vested and Resident in himself. Nor do Men have recourse to crooked ways, or to what this *Writer* calls a *Device*, but when they judge it impracticable to effect their designs in the common and allow'd paths. Nor are there instances to be found of persons, who will prefer either *hazardous* methods to *safe*, when they are both equally before them, unless they be *Distracted*, or *Criminal* means to Legal, when they are in a condition of compassing their ends, as well, yea better, by the *latter*, than by the *former*, unless they be egregious *Knaves*, as well as *Fools*. And for this *Author* to endeavour to persuade Men that the *Bishop* of *Sr. David's* was capable of doing such a Ridiculous thing, and that he would have run himself into Practices, for which he knew he made himself obnoxious to the Law, and would become very severely and criminally censurable, (when all that his *Lordship* is said to have propos'd to himself, by and from this Artifice, or as our *Author* styles it *Device*, was attainable by and in the way of Legal means, for the using whereof, he could not have been so much as Reproached, and much less upon *exhibited Articles* have been Criminally Accused) doth shew us; that either this *Writer* hath a very mean opinion of the generality of mankind, or that they ought to have a very contemptible one of him. And unless he intended his *View of the Proceedings, &c. against the Bishop of St. David's*, both for a *Lampoon* on the whole *Process*, upon which that *Prelate* was Sentenced; and for a *Satyr* on his *Grace of Canterbury*, for being as little acquainted with the Rules of Justice, as he was a stranger to Impartiality, would this *Writer* have ever muster'd up things, so plainly subversive of, as well as directly inconsistent with that, which he pretended to *Infer* from, and to confirm and establish by them. Or if

that

that *Writer* could be so weak and unthinking a Person, as to hope this *View* would be esteem'd a *Justification* of the *Juridical Actings* of the *Grand Metropolitain*, against his *Comprovincial Bishop*. I do suppose that himself, as well as others, by that time, he, or they, have gone thus far through these Papers, will be made sensible, that it is not so difficult a *Province* or *Undertaking*, as some might have imagin'd to be, not only to *Vindicate* an *Uncle* and *Nephew*, from all *Reproaches* of, and *Accusations* for *Simony*, thrown upon, and advanced against them, because of all, or of any of the *Benefices* and *Dignities*, which the former *Collated* on the latter; and both *minas hostium*, Tacit. de
in ludibrium vertere, to turn all the menaces of their *Enemies* Morib.
into scorn and ridicule, *Illorum consilium, astusque, in perniciem* Germ.
ipsis virtere, to make all their *Projections* against the *Bishop*, and Lib. 2.
the *Arch-Deaconry* of *St. David's*, and the *Tricks* and *Chicaneries* which have been used for the gaining of *Credit* to their *Slanders*, to rebound upon themselves, and by turning and playing their own *Artillery* upon them, to repulse them in their attacks and defeat them, but that this *Author* will understand better hereafter, than he hath hitherto done, how that *fraude visus agere, sua peremptus est mercede*, Liv.
his fraudulency and deceit, in order to the *Injuring* others, have been applied and Improved to the fastning that *Ignominy* and contempt upon himself, which if I do not mistake, he will not find it easy to rescue himself from.

So that having fully accounted with the *Writer* of the *View*, for and concerning every thing produced by him, in the way of pretended *Proof*, of the *Simoniacal Transactions* between the *Bishop* and *Mr. Medley*; I am now to proceed to an Examination of what is said by this *Author*, for the fastning of *Simony* on his *Lordship*, in his *Collating* one *Mr. Brooks* to the *Rectory* of *Burrough-Green* in *Cambridgeshire*, which the *Bishop* held in *Commendam*. And which the said *Writer*, calls the other *Act* of *Simony*, alledged against his *Lordship*, in the *Promoter's Articles*, *Summary View*,
and hath thereby proclaimed himself to be one who *Writes* P. 49.
with great *Thoughtlessness* and *Inadvertency*. In that whereas before, he had *Charged* the *Bishop* with the detestable *Sin* of *Simony*, committed by him in many *Instances*; he doth nevertheless herein and by his calling this the other *Act* of *Simony*, confess and acknowledge, that there were only two *Acts* of *Simony* alledged against the said *Prelate* in the *Promoter's Articles*. But *Summary View*,
having P. 27.

having sufficiently expos'd him already for this, I will not here and at this time say more, than that I could not omit observing it, because it Justifieth me in all the Rebukes and Castigation, which I gave him on that account. Now that the Reader may the more clearly and distinctly understand the whole affair, that I am to encounter the *Author* of the *View* about, and be the better prepar'd to discern the Injury and Injustice done the *Bishop* of *St. David's*, in charging him with, and condemning him for *Simony*, in relation to any Transaction with *Brooks* in his Settlement at *Burrough Green*, I must begg the Liberty to premise a few things, which shall also serve both to the Marking out the *Ground*, that this *Writer* and I am to *Fight* upon; and to the measuring and adjusting the *Weapons*, that we are to make use of. Whereof the *First* is, that the *Bishop* had held that *Rectory* for some time in *Commendam*, and had at that time (provided he kept and employ'd one to *Serve* the *Cure*) a legal Title and Right to all the profits and emoluments of it, which were very considerable. And as none of his worst Enemies have ever denied this, and the very *Author* of the *View*, who is one of the most wrathful and malicious of them, hath both frequently Confessed it, and taken occasion most wrongfully to asperse him, for the having treated some of his *Curates* there, otherwise than he ought, concerning which I have already called this *Writer* to an account; so I hope I need not tell English men, that his *Lordship* in the Vertue of his *Faculty* whereby he held it, had such a Freehold and *Heritage* in it for Life, as not to be Ejected or disceized, without his own Resignation as well as Consent. Unless he had stood Convicted of Crimes, by reason whereof he had in and according to Law forfeited his Title thereunto. But of being Guilty of any offences of that kind, He was not then so much as Judicially accused, much less pretended to have stood Convicted. Whereunto let me subjoyn this *Second preliminary*, as another *premise*, not unworthy of the being observed. Namely that tho' his *Lordship* might have continued to hold it still in *Commendam*, and to have supplied it by a *Curate*, as he had formerly done; yet thro' his being both at such a distance (which as *Bishop* of *St. David's* he was necessitated unto) that he could neither readily nor perfectly know how his *Curates* performed the duties of their Function; and thro' his having also apprehensions, that because of their being so much from under

der his immediate inspection, as well as his Authority; and by reason of their being at Liberty to leave their Station, and to remove elsewhere whensoever they pleased; he might hear of things concerning them, which would no less give him grief, than displeasure, (as even when he lived more adjacently to the said Rectory, he had met with complaints in reference to the behaviour and conduct of some whom he had formerly Employ'd as *Curates* in that place) he thought it would be most for the Edification of the *Parishioners* of that *Rectory*; and also for his own honour, to settle a Person of good fame in it, who not only might, but (without the intervention of death) should be obliged to Reside constantly in it, during such a time as was like to be as long, as his *Lordship's* natural Life, beyond which he had no power to dispose of it. And *William Brook's* being very much Commended to the *Bishop*, as well for his sober and virtuous Conversation, as for his ministerial abilities; and being one, who had not only preached at *St. Ann's* with great applause; but who wore the *Badge* of a *Lord's Chaplain*, and was generally taken for, and commonly owned as such; his *Lordship* believed he could not express either a more pastoral or an Episcopal Care for those of that *Parish* or *Rectory*, which he held in *Commendam*, than to appoint and settle the said *Brooks* among them for the performing of all Ministerial Duties. In any part whereof, and particularly in this *Brook's* being qualified according to Law for the work and office of a *Priest*, thro' his having obtained full *Orders*, if the *Bishop* had been misinformed, and thereupon came to be mistaken, it can only shew his *Lordship* to have been too credulous, or at most to have been somewhat deficient, in making those inquiries after him, which he might; (and with which defect and omission, other Prelates are no less liable in some cases to be charged, as we shall shew hereafter, than the *Bishop* of *St. David's*) but it doth not in the least affect him with any punishable Crime, nor render him any ways obnoxious to an accusation of *Simony*. But then farther, I would lay down as an other *preliminary*, and would *premise* in the *Third place*, that as no *Parson* or *Rector* &c. who do even Reside on their *Living*s or *Benefices*, are obliged to hold the *Tithes* thereof in their own hands, or to Collect and receive them themselves; but they are at liberty to *Lease* and *Demise* them to whom-

Can. 6
Constit.
1603.
Can. 41.

soever they please; and customarily do so, to such as offer most, provided they be esteem'd solvent; so they who do not constantly *Reside* on their *Parsonages*, or *Rectories* &c. but stand Dispenced from it, are both by *Law* allowed, and in common *practice* do use, to *Lease* out the *Tithes* and *Profits* of them. The whole, that is in these Cases Required, either by the *Statutes* of the *Realm*, or by the *Canons* and *Constitutions* of the *Church of England*, is that they who are the *Leas-fers*, do take care, to have the *Cures* regularly and duly supplied by such as shall be able sufficiently to teach and instruct the people. And as they who have a *Faculty* of *Holding Benefices* in *Commendam*, are by no *Law* or *Constitution* whatsoever, bound to give the whole profits (which accrue from thence) to their *Curates*; nor is it practiced by any, whom I have either known, or heard of; so for any to *hold Benefices* in *Commendam* on those Terms, would be not only inconsistent with the End, and repugnant to the motive and Reason, for and upon which it is allowed, which are the rewarding of merit, and the giving encouragement to diligent and laborious Studying; but it would be a burden, rather than an advantage; and a punishment, instead of a privilege; thro' involving and entangling such as Hold them, under a care and solicitude, yea and responfability too, when others, and not they, were to reap all the benefit. Neither is it to be supposed, nor can it according either to our *Municipal Laws*, or our *Ecclesiastical Constitutions*, be so much as question'd, but that they, who are allowed to *Hold Benefices* in *Commendam*, may both as Lawfully *Lease* out the *Tithes* and *Profits* of them; as *Bishop's*, *Deans*, and *Chapters*, or *Prebendaries*, who have *Appropriated Tithes* belonging to them, do theirs; and also do it, under the same provisions, and with like limitations, viz. of having the *Cures* supplied by persons, capable of being Constituted their *Curates*.

Moreover, let me hereunto add as a *Fourth Preliminary*, or *Premise*, that it is the same thing, both in matter of *Justice* and *Equity*, and in the account and esteem of the *Law*, whether upon the *Leasing* out, and *Demising* the *Profits* of a *Benefice*, for a certain *Term* of *Years*, it be done upon a *Stipulation* and *Contract*, of having so much *Paid Annually*, as shall answer the true *Tenantry* Value thereof, or be done on the consideration of a *large Fine* to be *Paid* immediately, and in hand, with the
reserve

reserve only of a small Yearly Rent. Nor is there any difference between a *Bargain* contracted upon the former Terms, and an *Agreement* made upon the latter, why either according to Law, or Morality, the first should be accounted *Lawful*, and the last pronounced *Criminal*. 'Tis true, whosoever becometh *Leassee* to such *Tithes*, is concern'd in point of Prudence, and upon the head of Wisdom, to take care that the *Fine* he is to advance, do not (either thro' his own death, or the death of the *Leasser*) arise above the *Income* which he is like to receive by the *Lease*. And all the remedy, as well as precaution in that case, is *caveat Contractor*; as in other cases, it is *caveat Emptor*. And tho' it is not impossible, but that sometimes, he who is the *Lesser* or *Demiser* of such *Tithes*, may be too *cunning* for the *Lessee*, and may thereupon over-reach him, yet it is not only altogether impossible, there should be any *Simony* therein, but there is not so much as any such *Offence* in it, which either the *Laws* of the *Land*, or the *Canons* of the *Church* have made and declared *Punishable*. But to proceed to an other *Preliminary*, which shall comprehend what I have in the *Fifth* place to *Premise*, viz. that is as *Lawful* both by our *Laws*, and our *Canons*, for one who is a *Legal Parson*, *Rector*, or *Incumbent*, to *Lease* out the *Tithes* of his *Parsonage*, *Rectory*, or of any *Ecclesiastical Benefice* he is duely possessed of, to a *Clergyman*, as to a Person who is a *Laick*. Yea there are some very Learned, as well as Wise Men, who are of Opinion, that it is both more agreeable to Reason and Religion, and would be more for the Interest of the Church, to have those *Tithes* rather *Leased* to one of the *Sacred Order*, than to a *Layman*. And if such *Tithes* may be *Lawfully Demised* to an *Ecclesiastick*, as undoubtably they may, it is not to be question'd, but that the same *Terms* may be insisted upon, in the *Leasing* them to him, as might be stood upon in the granting a *Lease* thereof to a *Laick*. Nor do I understand why Mr. *Edmond Meyrick* should not only be accounted Innocent, but admitted to Glory, in his being *Tenant* on a *Lease* of the *Corps* belonging to the *Prebend* of *Cliddy*, and yet that the *Bishop* of *St. David's*, should be Accused and Condemned as Guilty of a Crime, for making *William Brooks* a *Tenant*, by *Lease* of the *Tithes* of *Burrough-Green*. Nor can any Man of Sense comprehend, why it should be no Offence in *Meyrick* to Pay a *Fine* of 25 l. for renewing a *Lease* of the *Corps* of *Cliddy*, and be bound to Pay Annually a reserved Rent of 15 l.

Summary
View,
p. 29.

Ibid

and that it should be *Simony* in the *Bishop* of *St. David's*, to demand and receive a greater *Fine* of *Brooks*, upon his becoming *Leffee* to the *Tithes*, *Glebe-Lands*, and *Appurtenances* of *Burrough-Green*, (which were far more considerable, than the *Profits* arising from the aforesaid *Corps*) when the *Yearly reserved Rent*, was to be only 5 s. by the *Quarter*. And as nothing was ever required, and much less contracted for, by reason, and in consideration of *Brooks's* being admitted and empower'd to serve the *Cure*, but merely because of his having *Glebe-Lands* and *Tithes* Demised unto him, (there being a *Surplusage*, in the nature of a *Salery*, always reserved, which would have accrued to him from thence, for all the *Offices* of his *Spiritual Function*, beyond and above what his *Lordship* could have had one to be his *Curate* for, or had ever given to such a one, and yet the *Bishop* have kept the *Tithes* of that *Rectory* to himself) so it is not unworthy of our observation, that his *Lordship* had a much greater *Fine* (than *Brooks* Paid) offer'd him, at the same time by another, for what he gave a *Lease* of, and *Demised* to *Brooks*, and that the Person who made the said offer, would have oblig'd himself under a *Penal Bond*, for providing one in *Holy Orders*, who should have carefully and constantly have *Serv'd* the *Cure*. But to go on to what I have to *Premise* in the *Sixth* place, which is, that it was *Morally* impossible there shou'd be any thing *Simoniackal*, in the *Contract* between the *Bishop* of *St. David's* and *William Brooks*, in that the *Indenture* relating thereunto, with all the *Terms*, *Conditions*, and *Covenants*, mention'd and specified therein, was drawn by *Sir Francis Pemberton*, who as he was an excellent *Lawyer*, was also a Person of that *Probity* and *Righteousness*, and withall such a strict observer of the *Canons* and *Constitutions* of the *Church of England*, that he never would have been accessary to a thing, which was either *Immoral*, or *Illegal*, and much less have prepar'd, as well as approv'd, a *Lease*, *Demise*, or *Deed*, which was so directly repugnant to the *Statutes* of the *Realm*, and the *Ordinances* of the *Church*, as this is *Articled* and *Sentenced* to have been. Nor is what I have said of *Sir Francis Pemberton's* Drawing, as well as *Approving*, the *Covenant* and *Bargain* between the *Bishop* of *St. David's* and *Brooks*, to be entertain'd as an evasion of mine, invented and alledged, for covering his *Lordship* from the *Crime* and *Infamy* of *Simony* in the said *Transaction*, but it was under undeniable *Proof* before his *Grace* of *Canterbury*, and those

those he call'd to be *Affessors* to him, tho' neither with him, nor them, was any thing that could be offer'd, of the least significance, for the acquitting of a Person, they had a Pique against, and were in subserviency to an other Interest, than that of Christianity, resolv'd to condemn. But if I may give credit to the Reports of the Town, there is a *Prelate* of a much higher Station in the Church, far more liable to be Proceeded against upon some of the *Articles* Produced against the *Bishop* of *St. David's*, than ever that *Prelate* was; which if I be not much mis-inform'd, as it will in due time, and probably very speedily come before a more competent *Ecclesiastical Authority*, than the Case of, and the Process against the *Bishop* of *St. David's* did, so we shall then have a Proof how faithful a *Friend*, as well as how able and skilful an *Advocate* the *Author* of the *View* will approve himself, when he is to be upon the *Defensive*, for his great Lord, Patron, and Benefactor. Wherein I shall not be troubled to find he acquits himself better, and do come off with more Reputation, than he is like to do in the *Offensive* against the *Bishop* of *St. David's*, in which he hath been (as they call it in the military Terms) not only a very signal party Man, but a very *Maroder*. And if my Understanding, as well as my Intelligence, do not very much deceive me, he will find it a much more difficult Province to Vindicate a certain Great Man, (I mean whose Titles and Dignities do make him so) from having granted and given a *Bribe* of 10000 *l.* for a *Church Dignity*, (and which I fear may be too legally and effectually proved) than he conceiv'd it was, to insult over, and trample upon the Reputation of a *Prelate*, who was therefore to be made Guilty, because he was hated at *Kensington*, and thereupon at *Lambeth*, *Salisbury*, and diverse other places, where the *Meredian* of affairs was understood, and the *Zenith* of power so well known, as that the Clocks of those places, were set to *Chime* and *Strike* accordingly. Finally, I have this in the *Seventh* place farther to *Premise*, that the difference between the *Articles Exhibited* first against the *Bishop* of *St. David's* whereof the 12th. doth wholly relate to his *Lordship's* having *Simoniacally* Covenanted and agreed with *William Brooks*, in his *Settling* him in the *Rectory* of *Burrough Green*; and the *Articles* preferred afterwards against the said *Prelate*, doth plainly shew, that neither the *Promoter*, nor others, who sought for an advantage against him

him in that matter, knew how to find any thing Criminal in the said Transaction, but that they were resolved to pitch upon some one particular, or another, which they might among the Ignorant, and before prepossessed and prejudiced Judges, call by that opprobrious name. Whereof that the Reader may have the clearer light, and be the more fully satisfied, it will not be amiss, to lay the several *Articles* exhibited against the *Bishop* in reference to that affair, particularly and distinctly before him. The *Article* which *Lucy* the *Promoter* did first *Exhibite* against his *Lordship*, was in the

- Article 12.* words following. *Namely, we do object to you the Bishop of St. David's, that being Incumbent of Burrough Green, you did Simoniacally and corruptly Covenant and Agree with one William Brooks, that on the consideration of 200 Guineas to you to be paid, you would settle him Curate in the said place, and afterwards Resign the same to him, when he should desire it. Whereas the Articles Exhibited by the same Lucy afterwards concerning the same Transaction, were in words of a perfect other importance. viz. That the Bishop, having Covenanted and Agreed with William Brooks, that for and in consideration of 200 Guineas, he would and should Execute a Lease of the Rectory of Burrough Green, and of all the Tithes and Ecclesiastical Rights and Emoluments unto the same belonging, to the said William Brooks, his Executors, Administrators, and Assigns for 31 years then to come (if the Bishop should so long live) How that instead of Executing of the said Lease, containing the mention of the 200 Guineas, as the consideration thereof, his Lordship would, and did only Give a writing Signed and Sealed, signifying that forasmuch as in a Lease Granted to William Brooks, he had promised not to Resign or Surrender his Right and Title in and to the the Rectory of Burrough Green, unless at the request of the said William Brooks ; he doth thereby promise, whenever the said William Brooks shall desire it, to Resign all his Title and Interest to the said Rectory. Nor can I now doubt, but that every man of Good sense, who shall peruse these differing Articles, will easily discern, how the additional or latter Articles, are both inconsistent with, and do destroy the former. Seeing in the place of Simony which was Articled in the First, and wherein the Bishop is accused to be a Simonist ; we have only Fraud and Treachery alledged in the Lateer, and his Lordship therein Accused of being a Knave. And I have the rather both added this premise, and him*
- Articles*
1, 2.

do recommend the consideration of it to the Reader, in that tho' after the *Commencement* of a *Process*; Lawyers do allow the bringing additional and subsidiary *proofs*, besides those which might have been produced at first; yet they will not admit the superadding of *new Articles*, beyond those which were at first Exhibited; and much less will they suffer the advancing of such *Articles*, as shall not only vary from, but overthrow the former. For it is not only one of the *Rules in Law*, that *quod semel placuit, amplius displicere non potest*, what hath been ^{Reg. Jur.} once admitted, cannot be afterwards either rejected or exchanged; ^{21.} but it is likewise another of those *Rules*, that *de qua re cognovit* ^{Reg. Jur.} *judex, de ea quoque pronunciare cogendus est*, ^{81.} whatsoever a judge hath permitted to come *Articled* before him, he not only ought, but he is even to be compelled to give Sentence upon it, and according to the tenor thereof. And all Lawyers whatsoever have laid it down as a Principle, that in *criminalibus non licet vagare*, there must be no variation from, nor alteration in criminal *Indictments*. And the Doctors have determined, that tho' it may in some Cases be lawful to superinduce an aggravating circumstance, over and above what might have been *Articled*, or as they call it *Libelled*, at first; yet they do unanimously declare, that it is never to be allowed to pass from the Crime first alledged and *Articled* upon, and to put a Crime of another quality in the room of it. And as the *Metropolitane*, and some of those who were *Affessors* to him, by their suffering *Lucy* to exhibit additional *Articles* against the *Bishop of St. David's*, which were not only different from, but subversive of one of those, which he had Exhibited before, doth shew with what great partiality they acted, and what small regard they had in *juridical* proceedings, to the established *Rules and Principles* of Law; so that which very much enhanceth and aggravateth their offence herein, is, that *prius positum*, was as well given, as received, by his Grace and some others, as an objection against an *Allegation* of the *Bishop's*. Which was much less to have been allowed, against his Lordship's said *Allegation*, than it was to have been against *Lucy's* additional *Articles*. And that not only because what the *Bishop* offered, was but lately come to his knowledge; but because it is both a *Rule in Law*, that *nullus pluribus nisi defensionibus prohibetur*, no person criminally proceeded against, is to be denied the making all the Defences he can; and also agreed by all the *Doctors*, that many things

are.

are to be allowed for and towards the *Vindication*, or as they call it the *Exculpation*, of the party accused; which are no ways to be permitted in the *pursuer* or *promoter*. And whereof the Reason given by them is, that *præstat nocentem absolvere, quam Innocentem Condemnare*; it is better that a guilty person, should be Acquitted, than that one who is Innocent should be Condemned. But there are some People both of the temper of *Lelins Balbus*, of whom the *Historian* gives the Character, that he was promptus adversus infonnes, forward and zealous against such as were Innocent, (which came home to himself in time) and who have too much of the disposition and complexion of mind, ascribed by the same *Author* to *Drusus*, viz. that he had *promptum ad severiora ingenium*, which I need not to render into English.

Tacit.
Annal.
Lib. 6.

Id. Annal.
Lib. 1.

The Promot.
48.
Wim.
Summary
View,
P. 41.

So that having as briefly as I could, represented whatsoever I had to say by way of *Priliminary* and *Premise*, I am both ready my self, and have prepar'd the *Reader*, to hear what the *Author* of the *View* hath produced, for proving *Simony* on the *Bishop* of *St. David's*, upon the account of a *Bargain* and *Contract* between his *Lordship* and *William Brooks*, in reference to the *Rectory* and *Tithes* of *Burrough-Green*. And the *First Testimony* which he hath brought in confirmation thereof, is that of one *John Williams* the *Elder* who *D. posed*, that about *December 1692. the Bishop* and one *Mr. Brooks*, came to an *Agreement* in his presence, that *Mr. Brooks*, should have a *Grant* or *Lease* of the *Rectory* of *Burrough Green*, and the profits arising thereout determinable on the *Bishop's Life*; he paying the *Bishop* two hundred *Guineas* for it: That, pursuant to this *Agreement*, a *Draught* of a *Lease* was made by the *Bishop's* directions, and brought to him: That the *Bishop* altered several things therein, particularly part of what was therein mentioned for the consideration; for the *Bishop* would not allow the 200 *Guineas* to be mentioned as the *Consideration*, but inserted that which appears in the *Draught* Exhibited by the *promoter*. That after the *Bishop* had received the *Greatest* part of the 200 *Guineas*, and had put *Brooks* to 30 *l.* charges in going down with him to *Burrough Green*, the *Bishop* refused to *Sign* the *Lease*, unless it was made determinable on *Brook's* life; which *Brooks* (despairing of relief) was Glad to accept of, the *Bishop* giving him the *Note*, by the *promoter* Exhibited; which is wholly wrote by the *Bishop* himself. Now in my Answering of this *Allegation*, I have those things

to say, which shall not only fully vindicate the *Bishop* from the having been guilty of any *Crime* whatsoever in that *Transaſtion*, and more eſpecially from *Simony*; but ſhall leave diſgrace and infamy, both upon the *Author* of the *View*, and on *Williams* the *Deponent*, as well as render ſome other people obnoxious to very ſevere Cenfures. And the *Fiſt* ſhall be, that upon Conſulting the *Draught of the Leaſe*, Exhibited by the *Promoter*, I do not find the 200 *Guineas*, to have been therein mention'd, or to have been made a part thereof; and conſequently, that whatſoever *Alterations*, his *Lordſhip* might have made, in the *Draught of the Leaſe*, when it was brought him; yet that it was impoſſible, his not admitting the 200 *Guinea's* to Continue inſerted in it, as the *Conſideration* for *Granting of the Leaſe*, ſhould have been not only one of the *Alterations*, which the *Bishop* made, but ſuch a ſingular alteration, as deſerved this *Writer's* naming it with the prefix of particularly. For tho' things, actually Inſerted in *Draughts of Leaſes*, *Indentures*, or *Deeds*, may be either Alter'd, or wholly Expunged; yet it is impoſſible, to have that blotted out of them, which was never there; notwithstanding it be both practicable and eaſie to have it added. But a Tribe of People, who can transform *Vertue* into *Vice*; and adopt *Vices* to be *Vertues*; and not only make *Phanaticks* *Pillars* of the *Church*; but *Republicans* the chief *Supporters* of the *Monarchy*; may very well aſſume a Right, as well as the Liberty, of Aſſerting and Reporting thoſe things to have been in *Writings*, which were never in them. Nor will I make farther *Reflection* on this, than that tho' men may have eaſily obtained, the allowance of their Conſciences, for doing it; yet common diſcretion, and a very mean ſhare of prudence, ſhould have reſtrained them from a thing, wherein they are ſo plainly and undeniably detected, to have forged a falſhood in matter of Fact, and obtruded it upon the World, as a reality and truth. But then Secondly, I have this farther to add, and particularly by way of *Reflection* on the *Author* of the *View*, Namely, that what *John Williams*, doth Swear unto only upon *Hearsay*, this unſincere and faithleſs *Writer*, makes him to have Depoſed on his own *personal knowledge*. For the words in which he hath given the *Report*, of *Williams's* *Teſtimony* upon Oath, ſo far as it relateth thereunto, are that *Williams* Depoſed, that after the *Bishop* had received the greateſt

Promot.
48. Wilm.
ad Artic.
12.

Ibid.

part of the 200 Guineas, He refused to Sign the Lease, unless it was made determinable upon Brooks's Life. From whence I dare say that all the sensible and intelligent part of Mankind, who understand English, have gathered and concluded (nor could they avoid doing it) that John Williams, had attained to a far other kind, and a much certain knowledge thereof, than what had only arrived with him on *Hearsay*. Whereas whosoever peruseth Williams's *Deposition*, will find, that the whole which in this matter he Swears unto, is, that he had been informed, the Bishop having received the greatest part of the 200 Guineas, did refuse to Sign and Seal the said Lease, unless it were altered, and made determinable upon Brooks's Life as well as his Lordship's. And tho' Williams doth also Swear, to his having (before the Bishop's and Brooks's return from *Burrough Green*) seen a certain Summ of Money paid from Mr. Brooks, or his order to the Bishop, and that he had heard the Bishop on the Receipt thereof, acknowledge that that was the remaining part, and made up the 200 Guineas, yet even that (had it been true, which we shall hereafter shew it was not) doth not amount to what this Writer hath endeavour'd to impose the belief of, upon his Readers. And tho' this piece of Treachery, as well as of Falsification, in the *Author* of the *View*, may not seem so great to some People, as to deserve a Reprimand, and much less a Chastisement (from neither whereof, should any thing excuse and cover him at this time, save his having prevaricated more egregiously in twenty other things, for which we have already rebuked and corrected him) yet I could not omit taking notice of it, because of its being of so much affinity and alliance, with all the Proceedings of a much greater Man against the Bishop of St. David's. And that in this, as well as in many things else, this Writer hath shew'd himself, *dignum ista patella operculum*; and as it was said of *Suetonius*, that he wrote the Lives of the 12 *Casars*, with the same freedom, which they led them, so this *Author* hath given us a Narrative of the Process against this *Prelate*, filled up with as much *Chicanery* and *Fourbery*, as he who took upon him to be Sole Judge in that Cause, as well as some of those who were *Assessors* to him, discover'd partiality, Pique and Revenge, accompany'd with Ignorance, and a neglect of all the Rules Establish'd by the *Doctors*, for the guidance of Men in Juridical Actings. But then in the Third place, I have this farther to observe, in way of Answer

to

to the former *Allegation*; that whereas both *Williams Swears*, to his having seen the *Lease Granted* by the Bishop to Brooks, *Ubi supra*. Executed, and the Author of the *View*, after his wonted *Corinthian* manner, hath several times asserted that it was so, but alter'd from the first Draught of it; yet during the whole Process, there was never a *Lease Produced or Exhibited*, but merely a Draught of one. And whosoever talks of Executing a bare Draught of a *Lease*, and such a one also, wherein it is affirm'd by the Bishop's Adversaries, his Lordship had made several Alterations, discovereth himself to have very little Understanding, (to say no worse) in affairs of that kind. But I find that I may live and learn, in that whereas I had hitherto been taught, and was always accordingly firmly perswaded, that no Court of Judicature whatsoever, could proceed to pass Sentence in relation to matters which were only Alledged, unless they were also Proved by good and legal Witnesses; I have now seen, how under the Reign of the late King *William*, such as he had placed in the highest Dignities of the Church, could venture to give Judgement against a Brother, and a Comprovincial Bishop, upon a noise and suggestion of a certain *Lease* (supposed to have been Simoniacally Granted) which during the whole Trial, was so far from being Prov'd, that it was never Produced. And whosoever have but in the least consider'd the Rules, which are appointed to be observed in all Judicial Proceedings, will find it is what both Divines and Lawyers are agreed in, Namely, that *Judices debent solum Judicare secundum allegata & probata*. So that there had been something Illegal, or even Criminal, in the Contracting and Promising to Grant such a *Lease*, (which I have already shew'd, and shall more fully hereafter, there neither was, nor could be, had the said *Lease* been really and formally Executed) yet no Person ought to have been accounted and pronounced Guilty, upon the having merely imagin'd the Granting such a *Lease*, (and of which there was no more in Proof, than a rude and Interlin'd Draught,) it being a Maxim in Law, that as in all Cases and Transactions of this nature, (whatsoever it be in some others) *affectus non est puniendus, sine effectu*; the intention is not to be punished, where the effect did not follow; so it is Universally declar'd by all Lawyers, That *numquodque eodem modo dissolvi potest, quo colligatum est*, that every Bargain and Contract, that is not Executed, may be dissolv'd in the same manner, that it was stipulated and con-

Summary
View,
P. 43.

certed; and that what was only *Conventionally* agreed, may be *Conventionally Annulled*. And the very *Author* of the *View*, hath in effect declared it to be his opinion, that the *Bishop* of *St. David's* could not legally be found guilty of *Simony*, upon the producing an *Interlin'd Draught* of a *Lease*, (tho' there had been something therein, which might have look'd *Simoniacal*) in that he recurrerth to a *Note*, (whereof we shall discourse anon) which the *Bishop* gave to *Brooks*, by the giving of which *Note*, he says the *Bishop* advanc'd as far he could, to turn the *Conventional* into a *Real Simony*. Whereby as this *Writer* hath plainly acknowledged, that abstracting from the said *Note*, there was nothing either *Produced* of a *Lease*, or *Alleged* from the *Draught* of one, which could any ways prove his *Lordship* to have been guilty of *Real Simony*; so I cannot hereupon avoid censuring the said *Author*, both as an *Ignorant* and *Ill Man*, who durst not only represent a *Prelate* for a *Simonist*, but take upon him the *Justifying* his being *Condemn'd* as one, upon a *Fact*, which by his own *Confession*, was not *Real Simony*. Moreover I have in the fourth place, this farther *Answer* to give to the aforesaid *Allegation*, and particularly to that part of it, wherein *Williams* the *Deponent* Swears, that by the first agreement, the often foremention'd *Lease*, was to be determinable on-ly on the *Bishop's Life*; but that he having received the greatest part of the 200 *Guineas*, refused to sign it, unless it was also made determinable on *Brooks's Life*. Namely, that as it was upon *Brooks's* applying to the *Bishop*, and not upon the *Bishop's* seeking to *Brooks*, that his *Lordship* came to Grant *Brooks* a *Lease* of the *Tithes* of *Burrough-Green*; so it was by this very *Williams*, that *Brooks* made his *Addresses* to his *Lordship* for obtaining it.

For *Willfray Pyemont* hath not only *Deposed* upon Oath, That while he liv'd with the *Bishop* of *St. David's*, there was one *Williams* came several times to his *Lordship*, in behalf of one *William Brooks*, about the *Rectory* of *Burrough-Green*; but even *Williams* himself, hath likewise acknowledged upon Oath, that at the request of *William Brooks*, he did go to the *Bishop* and discoursed him, about the *Letting* a *Lease* of the *Rectory* thereof, to the said *Brooks*. From which we may not only probably infer, but conclude with a moral certainty, that *Brooks* was more likely to be brought to submit to the *Article* and *Condition*, about the time when the said *Lease* should be

Summary
View,
P. 43.

Promet.
48. With.
ad Artic.
12. and
Summary
View,
p. 40, 41.

The Bp's.
46. With.
ad Artic.
11.

Ubi supra.

be Determinable; than the *Bishop* would be to any Proposal, which should be made by him, in reference thereunto. And forasmuch as the *Lease* which had been Treated about, was to be Granted for the Term of 31 *Years*, in case the *Bishop* and *Brooks* should live so long; there was no cause for insisting, that it should not be determinable on *Brooks's Life*, who thro' his being a much Younger Man, than his *Lordship*, might very well be suppos'd, likely in the course of Nature to Out-live him. And that the said *Lease* was to be determinable on *Brooks's Life*, we have undeniable *Proof* given us by *Mrs. Brooks*. Who tho' a party, (thro' having been his *Wife*) and greatly Interested; and who hath likewise Sworn to diverse things in her Deposition Falsely, (as shall be made speedily appear) yet even she hath in reference to this, acknowledged upon Oath, how that on her discoursing with the *Bishop* about her Husband's taking a *Lease* of the *Tithes* of *Burrough-Green*, (and that previously to any thing's having been concluded about it) and her having told his *Lordship*, she was not willing *Premot.* her Husband should lay out his Money on a *Parsonage*, because that 16. *Witm.* as it was part of her Fortune, and was by Marriage Covenant, to be ad *Artis.* laid out for a Maintenance for her after her Husband's death, so that 12. her Husband was but a Sickly man; and that the *Bishop* had by way of answer, told her, that her Husband was as likely to Live as She was. Of which Confession of Her's upon Oath, I will venture to say, that it is enough to satisfy all the reasonable part of mankind (tho' it may not the prejudiced and obstinate, nor do wise men expect such should be over convinced, neither hath God appointed any means for their Conviction) that the *Lease*, which was Granted by the *Bishop* to *Brooks*, of the *Tithes* of the *Rectory* of *Burrough Green*, was to determine with the Life of the said *Brooks*. Nor can any who have not either lost the use of their Understandings, or have renounced all principles of Honesty, imagine that either *Mrs. Brooks* would have made the Sickliness of her Husband, an Exception to the laying out of his Money on such a *Lease*; or that the *Bishop* would have replied to Her, that her Husband was as likely to Live, as She was; unless it had been concerted and agreed, that the said *Lease*, should be determinable on *William Brooks's Life*. For had it been Stipulated, that the said *Lease*, was to be made and Granted, not only to him, but to his *Executors Administrators* and *Assignes*, as it would in that case have been impossible, that

that any prejudice would have befallen Mrs. Brooks by her *Husband's Death*; so it had been not only folly but madness in her, to have alledged her *Husband's* being a *Sickly* man, as an objection, against his *Laying out his Money*, on a *Lease* of the forementioned *Tithes*. Seeing had the *Lease*, been *Granted* to his *Executors* &c. as well as to *himself*, all the damage that can be supposed could have arisen to Mrs. Brooks, would have been her falling under a necessity, of procuring and hiring one to perform the *Pastoral* duties of the place; which would have subjected her to no expence or inconvenience, but such as she had sustained before; forasmuch as during the whole time her *Husband* resided there, after his entrance upon the *Lease* of the said *Tithes*, he neither himself did, nor could *Serve* the *Cure*, by reason of his not being in *full Orders*. For the *Order* of a *Deacon*, being the whole which he pretended unto, (and it being also questionable, whether he had attained thereunto, and was not a meer *Layman*) he could be in no capacity, of performing the offices and duties of a *Priest*; but He was necessitated to have the *Cure* served by two *Masters of Arts*, successively the one to the other. 'Tis true, the *Bishop* had been imposed upon, in being made believe Brooks had received the *Order* of *Priesthood*, when he had not; but his *Lordship's* being thro' misinformation deceived therein, could at most be accounted an error proceeding from *Supineness* and inadvertence; whereas it was impossible, according to Law and the Rules of Justice, to make a Crime of it. And I am sure, that whatsoever offence, malice accompanied with ignorance, could assume the Confidence, and exercise the pique and revenge, to stile it, it was wholly impracticable, without talking nonsensically, as well as acting in contradiction to all the Laws of the world, to render it *Simony*. Nor is the *Bishop* of *St. David's*, the alone *Prelate*, who hath been Imposed upon after that manner; seeing, (besides what I have been told of others) I have heard that the present *Bishop* of *Ely* Dr. Patrick, who is taken to be person of great circumspection, as well as sagacity, was once so deceived in the same way, as to give *Institution* to the *Vicarage* of *Croyden*, to a meer *Layman*, upon which the *Patroness* for that time lost her Right of *Collating*, and one who was a *Clerk*, came to be *Instituted*, on the King's Presentation. Nor can any who are impartial, think it strange, the *Bishop* should have taken Brooks to be a

Priest,

Priest, (when he was not) if they will but allow themselves to consider what we have said before. Namely, how that he had not only preached at several places, and particularly at St. *Ann's*, with great applause, but that he was also reckoned to be, and accordingly wore the Badge of an *Earl's Chaplain*. And should it be allowed, (as I will not claim it shall) that the *Bishop*, previously to his Granting *Brooks* a Lease of the *Rectory* of *Burrough Green*, knew him to be a meer *Layman*; this instead of making his *Lordship* obnoxious to an accusation of *Simony*, will uncontrollably vindicate him from it. In that as *Brooks*, thro' his being only a *Laick*, could not on any Terms or consideration whatsoever, have a *Lease* of the *Cure* made unto him; it must therefore on that supposition be necessarily from thence Inferred, that the whole which the *Bishop* and *Brooks*, came upon conditions to an Agreement about, was only for the *Glebe Lands*, *Tithes*, and other *Perquisites* of that kind, but not for the *Curacy* it self, or for any thing appertaining to the *Priestly Office*, or which goes under the denomination of *Spiritual*. However the *Bishop's* foresight and discretion, are in this both remarkable, and to be commended, in that he made *Brooks* not only to Covenant, to do all the Ministerial Duties and Offices in his own *Summary* Person (i. e. in case he was qualified for, and licenced so to do *View*, which the *Bishop* on the information he had received, took *B. 42.* him to be) but that if want of health, or necessary occasion did so require (or as is unavoidably to be supposed, if thro' want of Orders, he stood incapacitated and disabled by Law from doing it) he should provide a Lawful Priest &c. In the obliging *Brooks* whereunto, his *Lordship* was so far from doing any thing that was *Simoniackal*, or which had the least air or shadow of it, that he acted both as a wise man, and a good *Prelate*. And I am sure, that therein he kept himself at a far greater distance from *Simony*, than (if we may believe the Reports of the Town) a great *Bishop* hath done, in his causing his *Successor* to his former *See*, (and withall by making it the previous condition of his promotion thereunto) to reimburse him all the Expences, he had been at in Building and Repairing there, er'e he came to his more elevated and exalted Station. And the *Bishop* of St. *David's* instead of being liable to blame, ought to be praised, for his laying *Brooks* under such a Covenant, in that as *Brooks* himself never discharg'd
the

The Ep's.
Allegat.
15 Nov.
1699.

the Offices and Duties of a *Curate* in the aforesaid *Rectory*, (because of the reason already assigned) but was forced to have them performed by others, viz. first by one Mr. *Burrel*, and afterwards by one Mr. *Jordan*; so such was *Brook's* neglect even in making provision at all times of a *Curate*, that in July or August 1694. the *Bishop* of *Ely*, or his *Chancellor*, did send out a *Sequestration* of the said *Rectory*, for the want of one. But then Fifthly, I have this still farther to add, in answer to the aforesaid *Allegation*; that it is so far from being any ways probable, the *Bishop* should have Granted a *Lease* of the foremention'd *Tithes*, to *Brooks's* *Executors* &c. as well as to himself, under *Covenant* of providing one to serve the *Cure*, that it is morally impossible, considering his *Lordship's* principles, that he would, upon any temptation of Money, have dared to think of doing it. Seeing as he could not avoid believing, that none save Mrs. *Brooks*, who had brought her *Husband* a Fortune of 1000*l.* would be his *Executrix*; so his known zeal for the *Worship* of the *Church* of *England*, as it is by Law established, lay in a direct repugnancy to his committing the providing for a *Parochial Charge* and *Cure*, to a *Woman*, who never came to *Divine Service* in her *Husband's* time. For tho' such *Prelates*, who use to employ all their Interest, to get *Phanaticks*, rather than those who are *Church* of *England* men, chosen to be *Members* of the *House* of *Commons*; might be ready and inclinable enough, to entrust *Dissenters*, and even the *Bigotted Women* among them, with the making provision of persons to officiate *Ministerially* in *parochial Churches*; yet the *Bishop* of *St. David's* could not act so disagreeably, either to his *Character*, or to his *Principles*, as to come into any *Contract* or *Agreement*, of which that might be the unavoidable consequence. Finally, whereas the *Author* of the *View*, takes upon him to Report, that *Williams* had Sworn to *Brooks's* having been put to 30*l.* Expence, in going down with the *Bishop* to *Burrough Green*; I have in way of Answer thereunto, two things to say. Whereof the First is, that *Williams* never Deposed any such thing upon his own knowledge; but the whole, which he Swore unto is, he had been Informed, that after the *Bishop*, had put *Brooks* to About the Expence of 30*l.* in Going down with him to *Burrough Green*, he refused to Sign and Seal the *Lease* &c. So that this *Author*, according to his wonted faithless and treacherous manner of

Summary
View,
p. 40.
The Prom.
49. Wilm.
ad Artic.
12.

Writing

Writing, is guilty of no fewer than *Two Falsifications*, in his giving the Relation of that one little particular. In that he hath both obtruded on his Reader, as if *Williams* had *Deposed* that upon his *own knowledge*, which he only did upon *Hearsay*; (and of which, thro' his not having been with them that journey, it was not possible he could have any other knowledg, save upon the Report of others) and also that instead of ABOUT 30 l. which was what *Williams* deposed he had been told, this *Author* positively Reporteth him to have Sworn, to *Brook's* having been at the full and actual *Expence*, of 30 l. in that Journey. And this *Writer*, by his leaving out the word ABOUT, hath given us another fresh discovery, both of his Insincerity as he is Relator of matters of Fact, and of his malice against the Bishop. Nor is it in the *Second* place true, that *Brooks* had been at the *Expence* of about 30 l. in that journey; Seeing besides his *Coach Hire*, and his having brought and put into the *Seat* of the *Coach* two *Bottles* of *Wine*, and some *Papers* of *Fruit* the whole *Expence* he was at in that journey, was only 3 l. 7 d. And whosoever can either make 30 l. or about 30. out of what I have mention'd; may very well lay claim to a Right of making *Simony*, of the most vertuous, as well as of the most legal Actions, that a man can do. So that having accounted with the *Author* of the *View* with respect to *William's* Deposition, and in reference to every thing he hath produced from it, except *Brooks's* having actually paid the *Bishop* 200 *Guineas*, concerning which I shall have a more convenient opportunity of discoursing hereafter, I have only this to add towards the shutting up the foregoing rancounter between that *Writer* and me, that as I have omitted nothing how either substantial or trivial soever, which he hath alledged; so I have in the whole management of the Debate, endeavoured to follow *Livy's* advice, *Casu oblata flectere ad consilia*, of making every thing said by him, whether thro' Folly, or Inadvertance, subservient both to the exposing of this *Writer*, and to the Vindicating of the *Bishop* from what he was accused of. Nor can I upon this *Author's* relying, upon such impertinent, as well as weak reasons, as he hath done, thro' attempting to prove the *Bishop* of *St. David's* guilty of *Simony*, because of the *Lease*, which his *Lordship* had Granted to *Brooks* of the *Tithes* of the *Rectory* of *Burrough Green*, upon the *Terms* and conditions, which have been specified, avoid

the calling to remembrance a passage of *Cicero's*, neither can
Orat. pro I forbear the applying it to this *Author*. Namely, *that minus*
A. Cluent. *stultus est is, cui nihil in mentem venit, quam ille, qui, quod stulte*
alteri in mentem venit, comprobatur; he is less a fool, who runs
 into an opinion, without ever thinking of any reason, where-
 by to defend and justifie it; than he who closeth with and
 approveth a foolish and nonsensical reason, as sufficient to e-
 vince and maintain it, and even such a one, as is directly re-
 pugnant to what it is brought to establish; meerly because it
 had been assigned and suggested to him, by a weak and
 thoughtless man, whose Talent lay more in talking confident-
 ly, than rationally. Which this *Author's* being egregiously
 guilty of, will give surprize to none who know him, in that
Tacit. *illi studia ut plana vecordia*, as all his Studies have run after va-
Annal. nities and trifles, they could expect no other, than that all the
Lib. 3. efforts of them against the Bishop of St. David's, should be
 innania, insignificant & impertinent, and that *nec quidquam grave*
caesurum ex eo metuumdum, nothing weighty or pungent, is to be
 dreaded to proceed from him.

And upon the experience I have had already, that nothing
 is to be met with in and from this *Author*, which may make
 a very ordinary man affraid to encounter him, or give so
 mean a Writer, as I own my self to be, any Great trouble
 in bassing, as well as in refuting, whatsoever he says; I shall
 proceed to an Examination of those Clauses, which he pre-
 tends to give out of the Lease, and by Reason whereof, the
 least thing he chargeth the Bishop with, and also has the
 weakness to think he proves him guilty of, is a *Conventional*
Simony. So much then of the Lease (which he says was
 mentioned in *William's Disposition*) as he is pleased to give
 us, is as followeth. Namely, this Indenture Dated day
 of December 1692. Between the Right Reverend Father in God
 Thomas Lord Bishop of St. David's on the one part, and Willi-
 am, Brooks — of the other part, witnesseth that the said Lord
 Bishop, for providing, Supplying, and discharging of the
 Cure and Ministerial Duty and office, of and belonging to the
 Rectory and Parish, and Parish Church of Burrough Green,
 and for and in consideration of the Opinion and Esteem the said
 Bishop hath of, and for the said William, and his Qualifications
 for the said Office, and also for, and in consideration, that the
 said Brooks shall provide for and entertain the Bishops his Servants,
 Friends,

Summary
View,
P. 41, 42.

Friends, and followers, with *Horse-Meat, Mans-Meat, and all Accomodations*, and as long as he shall please to live and remain in the said *parsonage House*, and also in consideration of the *Rents and Covenants* hereby reserved and made; and for other good and Valuable considerations, has demised, granted, set, and to *Farm let* to the said *Brooks*, his said *Rectory* with all *Houses, Glebe-Lands, and Appurtenances*, and all manner of *Tishes of Corn, &c.* and all profits whatsoever belonging to the same, to hold to the said *Brooks*, his *Administrators*, and *Assigns* for *Thirty one Years*, if the *Bishop* shall so long live, paying therefore a *Quarterly Rent* of *5. s.* for the same — *Brooks* Covenants to *Inhabit* and reside there, and not only to serve, and officiate, and do all manner of *Ministerial Offices* and *Duties* in his own person, but if want of health, or necessary occasion so require, to provide a *lawful Priest*, &c. And the said *Bishop* Covenants, that he will not surrender or resign the said *Rectory* unto the *Patron* or *Ordinary* thereof, unless at the Request of the said *Brooks*. In my Replying to which long *Allegation*, about and concerning *Clauses*, pretended to be given out of the *Lease*, there are several things, which I am prepared, and have in readiness, to say. And tho' what I have already declared, doth render whatsoever is there represented, wholly useless and insignificant, as to the affecting the *Bishop* with any crime, and much less with *Simony*; and whereby I may be also reckon'd, to have deliver'd my self, from the necessity, of giving any farther answer thereunto, than what an observing and impartial *Reader*, will believe is fully and satisfactorily done before; yet that neither the *Author* of the *View*, may complain of my having neglected the considering and examining of every thing, he hath said (altho' never so impertinently) nor the *Reader* be so much as put to the recollection of what hath been laid before him in the foregoing *Sheets*; I shall make some fresh observations upon, and give some particular and distinct *Answers*, to what the *Author* of the *View*, hath now recited, out of what (with his wonted infidelity) he calls a *Lease*, Granted by the *Bishop* of *St. David's* to *William Brooks*. And the *First* thing, I will offer is, that whereas this *Writer*, would obtrude upon the *Reader*, that these *Clauses* are given out of the *Lease*; he hath therein acted the part, of what the *French* call a *Fourb*, as well a *Coicane*. In that they are only produced out of a rude and imperfect *Draught*, which among the very *Canaille* and

vulgus of mankind, and much more with people of good Sense, and especially before *Courts* of *Judicature*, never was admitted for a formal and *Legal Lease*. Nor can any *Writing* of that nature, be allowed to be so much as taken notice of in *Westminster Hall*, much less be received in evidence, either against *Plantif* or *Defendent*. And as the calling a meer imperfect *Draught*, (into which a *Scrivener*, could upon a fee of of 10 s. have foisted in whatsoever had been suggested to him) a *Formal* and a *Legal Lease*, shews the *Writer* of the *View*, to be one, whose *Conscience* and *Understanding*, are of the Late Modern stamp, and moulded in subserviency to his *Knightship* and *Preferment*, to serve any *Projects* or *designes*, with out considering whether they are either righteous or *Legal*. As others have been not only sanctified, as, well as authoriz'd upon certain *Pleas* and pretences to plunder and pillage the Nation, but encouraged in their undermining and supplanting the *Right* of her present *Majesty*. And I hope the Reader will forgive me, if upon this provocation, as well as occasion, I do beg of the *Writer* of the *View*, that he would prepare himself to vindicate a great *Prelate* of the Church, to whom he hath paid a wonderful devotion, (I do not say that hereafter he will) from the *Asperision* of having given a *Bribe* of 10000 l. for his advancement to a certain *Ecclesiastical Post*. Concerning which, as well for the preserving the credit of that *Prelate*, as for silencing the obloquies of *Taverns* and *Coffee Houses*, I do submissively crave that *Inquiry* may be made into and after it before a *Convocation*. And as I dare venture all that is valuable to me in this world, which is my *Reputation*, that it will be legally and undeniably proved; so I dare with all humble deference and submission, presume to affirm, that *Her* present *Majesty*, hath too much of an *English Heart*; and is so far an *English Queen*, as that *She* will not deny, the having it brought before that *Ecclesiastical Assembly*, which is the most *Legal*, as well as *Supream*, that we have of that kind in the Kingdom. And of which I must bewail the depression of the esteem and jurisdiction; whereof as I know where truly to lay the blame; so I can the more easily excuse the Late King's falling in to it, because of his being Bred in a *Republick* where the tending a Staff and a pair of Shoes to a *Minister's Door*, without the giving him the least intelligence of what he is accused, is accounted

suffi-

sufficient in Law for telling him he is to walk and be gone. But then *Secondly*, I would desire the *Reader* to observe, that tho' both *Williams*, and the *Author* of the *View*, from and upon his *Deposition*, had positively affirmed, that the *Lease* had been *Granted* on the consideration of 200 *Guineas*, which *Brooks* was to pay the *Bishop*; yet there is not the least mention thereof, in any of the *Clauses*, which this *Writer* hath given us out of the *Lease*. And as it is not to be imagined, but that if the payment of so much money by *Brooks* to his *Lordship*, had been inserted into the *Draught* of the *Lease*, as the condition and consideration upon which the said *Lease* was *Granted*, this *Author* would have been careful not to have omitted the taking notice of it; so I may be allowed to say, that it discovereth great insincerity, as well as dissingenuity in this *Writer*, first to *Report* that for a matter of Fact, whereof there was nothing in proof by and from the *Lease*; and then to argue from thence, to the fastening *Simony* on the *Bishop*. Not that I would have the *Reader* believe, there was no money required as a previous *Fine*, for the *Lease* of the *Tithes* of *Burrough Green*, (for I am not of the *Morals* of the *Author* of the *View*, so as either to deny a Truth, or assert a Falsehood) but the whole, which I intend by this observation, is both to shew, what little credit is to be given to this *Author* in any thing he *Reports*; and how his most plausible Reasonings for aspersing the *Bishop* of *St. David's*, are superstructed upon meer Fictions and Forgeries. Nor can it be, (as hath been said before) that the expunging the mention of the 200 *Guineas* out of the *Draught* of the *Lease*, was one of the *Alterations*, which the *Bishop* made in it, when brought to him to peruse; seeing there was not the least appearance in the whole *Draught*, either from and by *obliterating*, or *interlining*, that ever the 200 *Guineas* had been therein named. And therefore the *Author* of the *View* in his obtruding upon us in the *Report* he gives of *Williams's Deposition*, that the *Bishop* particularly altered that part of the *Draught* summary of the *Lease*, which mention'd the 200 *Guineas*, which were to be *View*, given for the consideration thereof; and then by his giving us no P. 40. *Clause* (among the many he hath Cited out of the said *Draught*) wherein there is the least mention made of 200 *Guineas*, to be paid for consideration of the *Grant* of the *Lease*; doth shew both, how

how contradictorily to himself, as well as inadvertently, this *Author* writes, and that he is likewise as void of Good Sense, as he is destitute of Veracity. 'Tis true, that to cover himself from weakness and inconsistency in this matter, he takes upon to affirm, *that the Draught of the Lease Exhibited by the Promoter, was not the same Draught which the Bishop altered.* Which as it is a notorious falsehood; serves only to convince us, of his being desirous to preserve the reputation of his *Understanding*, at the Expence of his *Conscience*; and that he preferred the being found one of ill *Morals*, to the being accounted to have shallow *Intellectuals*; and that he chose rather to be guilty of a plain and an avowed *lie*, than be charged with *Weakness*. And yet so silly and void of Judgement is he, that he hath even strip't himself of that cover, and hath given Testimony against himself, in the very particular, which he had feigned and betaken himself unto, for his defence against the imputation, of being held an unthinking and foolish *Writer*. For by his having expressly and *in terminis* declared, that *Williams* hath told us, the *Bishop* altered the *Lease* he executed, from the *Draught* above Recited: he hath plainly thereby confessed, that the *Draught Exhibited* by the *Promoter*, was the very *Same*, which the *Bishop* altered. And I have both undeniably proved, and have ocularly shown, that there was not the least mention made of 200 *Guineas* therein. But to set this which I have been representing, beyond all possibility of being *Gainsaid*, I shall begg the *Readers* *Patience*, in the having laid before him, what *Williams* hath Sworn unto in this matter. Namely, *that he having seen the Indenture Exhibited by the promoter, doth Depose upon Oath, that it is the very same Draught, which was Drawn pursuant to the first agreement between the Bishop and Brooks, and the same which the Bishop Interlined.* So that I may from hence, not only venture to say, that the *Author* of the *View* is one, who knows neither how to write with Judgment, nor with sincerity; and that he deserveth to have said of him, what *Tacitus* both says of one called *Trion*, viz. that celebre inter accusatores *Trionis* *jugenum* erat, *avidumq;* *male fame*; and of another stiled *Afer* namely, that *capeffendis accusationibus, prosperiore Eloquentie, quam morum fama fuit.* Neither of which passages will I render into English, as reckoning that the *Writer* of the *View*, doth so far understand *Latine*, as that without my Translating them, to be both

Ibid.

Ibid. p. 43.

Williams
Promot.
Winn. ad
Artic. 12.

Annal.
Lib. 2.
Ibid. Lib.
4.

sen-

sible of the chastisement, which he lies obnoxious to have given him; and become Instructed, as well as admonished, to write with more regard to Truth, and more consistently with himself hereafter, than he hath done in his *Summary view*. Moreover I have this further to observe in the *Third place* in way of Reply to the *Clauses* pretended to be *given out of the Lease*, that as it was meerly a Rude Draught of a *Lease*, out of which (as I have already said) the forementioned *Clauses* were *given*, from which to allow any thing to be brought in proof, upon a juridical process, and before a Judicial Court, is directly against all the Rules and Measures of Justice; so the not producing the *Lease* it self which had been Executed, is a most convincing Evidence, that the Bishop's most malicious Enemies, could find nothing in it, by reason whereof his *Lordship* could be *criminally* affected. Nor need we go farther for obtaining a discovery, how dissonantly from the Methods of Law, some men, challenging a jurisdiction capacity, behaved themselves in their proceedings against the Bishop of St. David's, than that instead of calling for a sight of the *Lease* which had been Executed; and whereof alone they could either legally or righteously take cognizance; they altogether confined themselves to the taking notice of *Clauses*, said to have been in an unperfected and unconcerted Draught, which men either of honour or Justice (abstracting from prejudice pique and revenge) would have accounted of no significancy, for the fastning a crime upon any Person. And this deserveth the more to be taken notice of, in that the Executed *Lease*, was not only Extant, but might have been come by and produced more easily, than an *Interlined Draught*, which had been thrown aside. Which *Lucy* the promoter, seems to have been sensible of, and therefore by taking sanctuary in a notorious Lie, hath endeavour'd to cover both himself from the Villany, as well as the absurdity, of having *Articled*; and also the grand Metropolitan from the injustice of having *juridically* proceeded, upon the Allegation of the Draught of a *Lease*, which had been interlin'd and altered; instead either of the former's producing, or the latter's calling for, the exhibition of the *Lease* it self, which had been Signed, Sealed and Executed. For that no less impudent, than malicious man *Lucy*, hath in his *additional Articles*, made it a special matter

Addition.
Artic. 2.

against

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against the *Bishop*, that instead of *Executing a Lease*, he only gave a certain *Writing in the Nature of a Note, Signed and Sealed*. In which he is not only contradicted, (and consequently declared a shameless Liar) by the *Author of the View* who Reporteth that *Mr. Williams has told us, the Bishop altered the Lease he Executed, from the Draught which hath been recited*; but this very *Lucy*, himself, hath in the very next words of his own aforesaid *Article*, acknowledged that the *Bishop* had given and Executed a *Lease to Brooks*. For he there expressly declares and affirms, that the *Note or Writing Signed and Sealed, which the Bishop gave to Brook's contained in it, that whereas his Lordship, had in a Lease to Mr. William Brooks, Dated March the Sixth 1692. promised not to Resign or Surrender &c. He doth by the said Note or writing, promise &c. Nor is it altogether unworthy of remark, that whereas the Draught of the Lease, wherein the Bishop made the Alterations, was prepared in December 1692. how that the Lease, which his Lordship came to agree upon, and adjust the Terms and Conditions of, was not Signed, Sealed, nor Executed untill the Sixth of March following. In which Interval, as they had time enough to have all things maturely considered, and mutually concerted; so I may boldly affirm, that according to the measures, either of Law, or Righteousness, no Writing whatsoever (antecedent to that of the Sixth of March) relating to the said Agreement and Stipulation, should have been suffered to be brought into proof against the Bishop. However as we may indubitably conclude from what hath been declared, that there was a Lease actually executed (tho differing in some things from the Draught, which had been brought to the Bishop to peruse and Examine, as is not only usual, but for the most part unavoidable in all Cases and Transactions of that nature) so in that neither the Metropolitan called for a sight thereof, nor the Promoter offer'd to produce it; but that in the place of this, they Insisted and proceeded upon an *Interlined Draught*; every man who is impartial, may thereby be fully Convinced, that there was nothing in the Executed Lease, for which the Bishop's greatest Enemies, could hope to get Him made any ways a Criminal and much less a Simonist. But that rather than his Lordship, should escape the wrath and revenge, of his Prosecutors, and of him who assumed the sole Jurisdiction power, they resolved to break thro' all the methods, and to trample upon*

upon all the Rules of Law and Justice. Moreover, tho' I have by the Answers already given, made the foregoing *Clauses*, recited by the *Writer* of the *View*, altogether useless, as to the fastning any *Crime* upon the *Bishop*, and have also undeniably shew'd, that they were both impertinently alledged, and unjustly received and admitted in evidence against his *Lordship*, and have thereby rendred it altogether needless, to add any thing in way of *Reply* to this, or that particular *clause*; yet I will beg the *Readers* forgiveness, if for the preventing complaints, of my having neglected the taking notice of every thing, produced and urged against the *Bishop* by the said *Author*, I do call over and make some *Reflections* on, as well as observations, in reference to those *Clauses*, which thro' his having put them in *Capital Letters*, he seems to lay great stress upon, towards Convicting the *Bishop* of what he stood accused, with respect unto, and because of the *Lease* of the *Rectory* of *Burrough Green*, Granted by him to *Brooks*. And these *Clauses* are, that the *Bishop* of *St. David's* for providing, supplying, and Discharging of the *Cure* and Ministerial Duty and Office, of and belonging to the *Rectory* aforesaid; for and in consideration that the said *Brooks*, shall provide and entertain the *Bishop* &c. and for other good and valuable considerations, has Demised, Granted, set, and to Farm let his said *Rectory* with all *Houses*, *Glebe-Lands*, and all manner of *Tithes* &c. *Brooks* Covenants to Inhabite and reside there, not only to serve and Officiate, and do all the Ministerial Offices and Duties in his own person, but if want of health or necessary occasion so require, to provide a Lawful *Curate*. In none of all which *Clauses*, is there any thing, that deserveth to be blamed or censured, and much less (had not some people renounced Reason, as well as have been at enmity with honesty and justice) the least particular upon which *Simony* can be grounded. And had not both the *Author* of the *View* and others been as ignorant, as they are malicious, we should have heard of no accusation received against his *Lordship*, because of what seems meant and intended in the foremention'd *Clauses*. And that it may the better appear, how dissonantly to *Rules* of Law, his *Grace* of *Canterbury*, as well as others, have acted against the *Bishop* in that matter; I shall lay before the Reader, some of the *Maxim's* delivered by the *Doctors*, thro' want either of acquaintance with which, or attendance unto them, not only this *Writer*,

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the great *Metropolitans*, and some of his *Affessors*, have made themselves obnoxious to very severe Reflections, if I were at this time inclined to make them. Now the *Rules*, which I have to offer from *Civilians*, *Canonists*, and *Common Lawyers*, are these that follow. Namely, that as *nemo presumitur deliquisse*, no man is to be presumed to have offended, but ought antecedently to his being held Convicted, be proved guilty of some Fact, incapable of an innocent Interpretation. So in *penalibus causis*, benignius interpretandum, in all criminal Cases the mildest and most favourable Construction of Words and Expressions, is to be recurred unto, and acquiesced in. And that as in *generali concessione*, non veniant ea, quæ quis non esset verisimiliter concessurus, nothing is to be reckoned intended or included in a general Grant, save what it is probable the Granter did design to the Grantee; so that quando idem sermo duas sententias exprimit, ea potissimum accipiat, quæ rei gerenda aptiores; when one word or term may be made relative unto Sentences, expressive of different, as well as of distinct things, it shall only be applied unto, and construed to affect that, to which it is best agreeable, in subserviency unto, and in consonancy with the design of him, whose meaning and sense is said to be expressed by it. Whereunto let me add this, which is as much a Principle in Reason, as it is a Rule in Law, that quando aliquid conceditur, omnia concessa videntur, sine quibus hoc fieri nequit; that when any thing is demised or granted, (as the Leasing the Tithes of the Rectory of Burrough Green, to one believed in Orders was) all things else, without which, that would not be effectual must be admitted likewise to be granted. But that the Arch-Bishop of Canterbury, should be a perfect stranger to this sort of Reading, or Learning, is no surprize to me, since I grew into an acquaintance with his ability and skill in preaching, and in managing Common place Theological Controversy, (which are to be suppos'd to have belonged to his Province, before he arrived at his Archiepiscopal Dignity) by his Sermon on the Late Queen Mary, and his Disputation with, and his Pamphlets against a certain Jesuite. But as I venture to say this, with the premise of saving his Character as a Divine, which the very Italians admit in reference to all persons of Religious Orders, and are thereupon covered from all criminal prosecutions; so I do it with all deference to his present Dignity in the Church, where whether in *Fl. Sh.* words, he makes a Post, or a Pillar, is indifferent to me. But that one who is a *Civilian*,
and

Bos.

Paulest.
Reg. Fur.

Ibid.

Ibid.

and an *Advocate* (as the *Author* of the *View*, is generally believed to be) should either know nothing of those *Rules* of *Law*, or if he do, act very disagreeably to his knowledge, which is of the two the far more culpable, is what requireth the exercise of great Charity to forgive. However, the Reader will be somewhat more prepared, than it is likely he was, for discerning the weakness of this *Author*, in quoting the foremention'd *Clauses*, in order to prove *Simony* against the *Bishop*, by reason of the *Draught* of the *Lease*, pretended to have been agreed unto by *Him*, for Setting to *Farm* the *Tithes* of *Burrough Green* to *Brooks*. In that the mentioning thereof, and the *Houses Glebe-Lands*, and all the *appurtenances*, and *Profits* thereunto belonging, doth plainly shew, that the *Considerations*, whereof there is only a General mention made in the said *Draught*, do meerly refer unto and do solely affect, the *Demise* of those *Houses*, *Glebe-Lands*, and *Tithes* &c. and do not in the least relate unto, or any ways concern the *Priestly* or *Pastoral Office*. Nor doth *Brooks's* *Covenantee* to *Inhabit* and *reside* there, and either to *serve* the *Cure* himself, (i. e. in case he were qualified and *Licensed* so to do) or else to provide a *Lawful Priest*; import any thing that in *Law* can be accounted and held criminal. For the whole, which even malice it self, can either Graft upon or Collect from thence, can at most amount but to this, *viz.* that the *Tithes* &c. of the *Rectory* of *Burrough Green*, being *Demised*, *Set*, and to *Farm* Let to *Brooks*, he should thereupon take care to have the *Cure* served. Which leads me to that, which I have farther to add; namely, that the *Consideration*, on which the said *Tithes* were *Demised* to *Brooks* (even on supposition, that it had been his paying the *Bishop* 200 *Guineas*) was so amply accounted for, ballanced, corresponded with, and compensated, by the *Annual Profits* arising from the said *Rectory*; that the said *Sum* or *Fine*, was not only frugally laid out and disposed, in order to his becoming Entituled thereunto; but there was more than enough, left free and reserved (even abstracting from what was to be the compensation for the *Fine*) towards the providing and Hiring a *Curate* to serve the *Cure*. In that *Dr. Watson*, antecedently to his being *Bishop* of *St. David's*, and also after his *Preferment* to the said *Bishoprick*, had diverse times *Leased* out the *Tithes* of the aforesaid *Rectory* for above 100 *l.* per annum. And that with a reserve and

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p. 7.

Tacit.
Hist. Lib.
1.

of having both his *own* and his *mans Lodging* and *Diet* free, as often as he should think fit to come and reside there, (which previously to his being made Bishop, was frequently two or three days and nights in a week) as also the running and feeding of some Horses, during the whole Winter, as well as the maintaining, them whensoever he lodg'd there in the Summer. All which, as by a very modest computation, it may be reckon'd to have arisen and amounted to considerably more, than what he gave and allowed to a *Curate*, (which if we may believe the *Author* of the *View*, was but 25 *l. per annum*) so it sheweth, what an advantageous *Bargain Brooks* had, by the *Demise* and *Lease* of the *Tithes &c.* of *Burrough Green* unto him, even admitting it to have been done on the *Consideration* of the 200 *Guineas &c.* and also on the farther condition, of the said *Brook's* being obliged, either to *Serve* the *Cure* in his own person, or that he should provide a *Lawful Priest* to do it. So that having set this matter in its full and true light, and made appear how impertinently the foremention'd *Clauses*, were alledged by the *Promoter*, and are reported by the *Author* of the *View* out of a pretended *Draught* of a *Lease*; and how wrongfully they were received and admitted by the great *Metropolitane*, for affecting the *Bishop* of *St. David's* with *Simony*; I shall proceed in my attending on the *Writer* of the *View*, in examining of what he hath advanced in the next place, towards the farther blackning of the said *Prelate*, in relation to the Transaction between *Him* and *Brooks* about the *Rectory* of *Burrough Green*. Only with this finishing Reflection on what I have been discoursing about, before I go on, namely, that besides the advantage, which the *Bishop* of *St. David's* Enemies had against him, by reason of the *pique*, which his *Grace* of *Canterbury*, (who took upon him to be sole judge in his *Lordship's* Case) bore unto him, they had this also, that *apud infirmum et credulum, minore metu, & majore premio peccaretur*; before a person, who is not the fittest in the World for the administration of *Juridical* matters, and who is withal extremely credulous, with respect to all the ill things which are said of those, whom he doth not love, they could alledge and affirm both all the falsehoods, and all the impertinencies, which they pleased, not only with the less fear of being either rebuk'd, or chastned; but with the greater assurance

assurance of being rewarded. Nor ought any to be surprized, at his Graces depriving a *Comprovincial Bishop*, upon such insignificant, trivial and foolish allegations; if they do but allow themselves to consider, how that to get it into his power to condemn that *Prelate*, he usurped a Jurisdiction, which hath laid him under a *pramanire*. Which it is hop'd, that in order to the doing Justice to Her Majesty, and to the Constitution of England, some one Patriot, or another, will have the courage to get it publickly staged, and Inquired into before a competent Authority.

The next thing then, about which I am to encounter the Author of the *View*, is concerning a certain *Note*, which he says, the *Bishop* wrote himself and gave to Brooks: which runs thus. *Whereas I have in a Lease to Mr. William Brooks Da-* Summary
ted March 6th 1692. promised not to Resign or Surrender my Right View,
and Title into, and to the Rectory of Burgh, unless at the request P. 43.
of the said William Brooks: I do hereby promise, whenever the
said William Brooks shall desire it to resign all my Right and
Title in and to the said Rectory. &c. By reason of which *Note*, this Writer says, the *Bishop* advanced as far as he could to turn this *Conventional*, into a real *Simony*; but that here he had not the Right of Patronage as in those *Living*s and preferments he gave his Nephew *Medley*. Now as in my Replying to this Author, in reference to the foregoing *Note*, I have diverse animadversions to make, and those such as may render any man of Sense asham'd to have laid stress upon it himself, and much more in giving the World to understand, the influence it had on his Grace of *Canterbury*, in his Trial of the *Bishop's Cause*, and in his Decreeing a Sentence of *Deprivation* against him. Whereof the *First* shall be; that tho' I do not wholly justify, and much less greatly commend it, yet it is so commonly practiced by *Patrons*, and that with a very general Allowance, to take Bonds from *Presentees* for *Resignations* in some certain Cases, that the *Bishop* of *St. David's* having given a *Gratuitous Note* to *Brooks*, whereby he promised to surrender his *Right* and *Title* to such a *Rectory* to him, provided he desired it, and whereof he had previously Granted a *Lease* for 31 years in case the *Lessee* lived so long, should not only be made a heynous and a punishable Crime, but declared to have been *Simoniackal*, must needs give a very od Idea to the sober part of mankind, of all the pro-
ceedings

Joh. 19.
12.

ceedings against that *Prelate*. And this I do the more recommend to the observation of the *Reader*, it that the very present *Bishop* of *Salisbury*, who was the great Instigator to all the severity against the *Bishop* of *St. David's*, is known to have taken *Bonds* from persons, for the *Resigning* their *Dignities* upon some certain conditions. And were there an inquiry made into all the particular Cases, wherein he hath done so, it is to be feared, that he would not in some of them, be found, to have acted with that Innocency, as the *Bishop* of *St. David's* did, in the *Note* he gave to *Brooks*. But as their are times, when, *qui non punit Christum, non est amicus Cesaris*; so while Judicial power and Authority stand vested in some people, we are not to be surprized, that, *Dat venim corvis, vexat Censura Columbas*. And as the *Proverb* is, that the *Mother* would not have look't for her *Daughter* in the *Oven*, nor have suspected she had been playing *Tricks* there; unless she her self had both been, and had acted criminally in the same place; so it is too customary with many, to turn accusers of, and to be forward in passing Judgment upon others, on the foot of things they are aspersed with, (tho' only calumniously and falsely) in order unto, and in hope of covering themselves from the suspicion of being guilty of the like offences. Nor can I on this occasion, forbear bewailing the condition we were sunk into (but out of which I hope we shall speedily emerge) that when the Kingdom hath been filled with so many groundless and foolish, and yet clamorous complaints against the *Bishop* of *St. David's*, that some of our chiefest Dignified Clergy, have thereupon appeared so provok'd, as not only to put on the zeal of *Phineas*, but too much of the *fury* of those, who, long afterwards under the pretence of defending and saving the Temple, hastned both the destruction of it, and the total and final Subversion of the State; have nevertheless have shew'd themselves ? Deaf to Accusations laid before them, of *Blasphemies* against the *Blessed Trinity*. For to omit the mentioning Twenty Informations of that kind, which have been given unto some of them, upon none of which have they either appointed a *Promoter*, for Prosecuting of the *Blasphemers*, nor taken care to have *Articles* Exhibited against them; yet I cannot avoid acquainting the Nation, as well as putting them in mind, how the *Bp. of Gl.* had been told by
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an *Ear-witness*, and one who declared himself ready to Depose it upon Oath, that the great *Partizan* of the party, next to *Fuller*, had said in a publick *Coffee-House*, that had he *Three Sons*, they would be as much a *Trinity of Persons*, as (*Abſit Blaſphemia dicto*) the *Father*, *Son*, and *Holy Ghost* are. Upon which I hope (there is ſo much Chriſtianity ſtill left in *England*) it will be no offence to make this juſt, tho' ſevere Reflection, namely that there are certain people in the world, beſides thoſe whom *Tertullian* meant, *qui caſarem pro jove habent*, are more forward in being miniſterial to the piques and Enmities of ſecular Potentates, than in vindicating the Honour of the *Trinune God*. But then *Secondly*, I deſire it may be farther obſerved, that in the *Biſhop's* giving the foremention'd *Note* to *Brooks*, there is not any thing of ſo much as the leaſt affinity, with that common and allowed practice, which I have mentioned. For tho' the *Biſhop*, would (may be) have acted as wiſely in forbearing to give ſuch a *Note*, as he did in giving it; yet when it was granted on no conſideration whatſoever, nor any thing demanded, or received, as the motive thereunto; the whole, that malice it ſelf can ſay concerning it, is, that the *Biſhop*, was willing to gratify the requeſt and importunity of a weak unthinking man, in promiſing to do a thing for him, if he required it, which he knew that without *Brooks's* being both falſe unto, and ſacrificing his own Intereſt, he never would, or could deſire. For as there was not the leaſt probability, that in caſe the *Biſhop* ſhould have *Reſigned*, *Brooks* would have ever been *Collated* by the *Patron*, but inſtead of that, a moral certainty that he would have been *Diſeized* of his *Leaſe*; ſo I take it for Granted, that how indifferent ſo ever a man *Brooks* was in the politicks, yet that he was farther removed from the degree of a Fool, than to have required a thing ſo much to his own loſs, and prejudice of the *Biſhop*; as his *Lordſhip's* *Reſigning* would unavoidably have been. And as the *Biſhop* could not have *Reſigned* to *Brooks*, (ſhould both he have deſired it, and the *Biſhop* have been never ſo ready to have done it) without the *Conſent* of the *Diocesan*; ſo *Brooks* had not only the apprehenſion, fear, and Danger to conſiſt with, that upon the *Biſhop's* *reſignation*, the *Patrone* would not have *Collated* him to the ſaid *Recto-*
ry; but he was alſo by Reason of a *Legal* defect in himſelf, thro' his not being in *Full Orders*, altogether incapable of

obtaining a *Collation* thereunto. Whereupon, the whole, and the very worst, which either a prepossessed and prejudiced Judge, or a *Chicane Lawyer* and a mercenary *Advocate*, can make of the aforesaid *Note*, or infer from the *Bishop's* having given it, is meerly that his *Lordship* chose to comply with the humour of a weak Man, in promising to do a thing for him, if desir'd, which he both knew to be impracticable in it self, and that if requir'd, it would be damageable to *Brooks*, rather than to shew him his simplicity, correct his folly, and endeavour to teach him wisdom. Which at most can be only accounted a gratifying a Vanity in *Brooks*, and a certain piece of inadvertent complaisance in the *Bishop*, but was no Offence either against Law or Canon, and much less had it any thing in it of *Simoniacal* corruption. And his *Lordship* being as sure, as reason and good sense could make him, that *Brooks* would never desire him to Resign, his promising to do it in case he were desired, was no more, than what *St. Paul* on some occasions, and towards some persons, wisely as well as innocently did, when *to the weak, he became as weak*. But then Thirdly, I have this farther yet to say, namely, that if his *Lordship* could have Resign'd, without the doing an Injury to *Brooks*, as he would therein have done a very wise thing; so no one can suppose it is either a folly, or a crime, to promise to be ready to do that (if requir'd) which the performing of, will get a Person the Character and Reputation of having acted wisely. Nor do I fear the being Redicul'd for expressing my self in this manner; seeing it is with me a *Maxim* both Reason and Religion, that only to do an ill thing, is to do a foolish one; and that whatsoever is done wisely, cannot be done sinfully or criminally. For as by the *Bishop's* Resigning his Right and Title in and to the *Rectory* of *Burrough Green* He would have been immediately releas'd and discharged from the *Cure*; so no person who either knoweth, the weight and care which lie upon him, with respect thereunto, so long as he remaineth *Incumbent*; or the account he must render to God, for the performance of all the offices and Duties of the *Cure*, during that time, would be fond of retaining and keeping a *Rectory*, after he had *Leas'd* out all the *Houses*, *Glebelands*, *Tithes*, and *Appurtenances* thereunto belonging, for 31 years, in case the *Lessee*, lived, so long, which

which *Brook's* was likely to do, in that he was not much above half the *Bishop's* age. And that the *Bishop* thought it a greater burden, (than may be some would do) to hold the *Cure* of a parish, when thro' his distance from it, he could not have that watchful Inspection over his *Curates*, which he would, he hath given sufficient demonstration of, by his *Resignation* of that very *Rectory* soon after the death of Mr. *Brooks*, when the right of receiving all the profits and Emoluments accruing from it (which when he *Leased* it out amounted generally to about 120 l. per annum) was become reinvested in his *Lordship*, by and upon the *Expiration* of *Brooks's* *Lease*, which terminated with his Life. And thus the *Bishop* did notwithstanding that he could have had the *Cure* therefore served, for what he had given to some of his former *Curates* in that place, which, if we may believe the *Writer* of the *View*, was but 25 l. by the year. And as the *Bishop* (in order to his delivering himself from the said *Cure*, the care whereof, by reason of his great remoteness from thence, thro' being *Bishop* of *St. David's*, he found himself disabled from taking in that degree he desired) did *Resign* it into the hands of the *Diocesan* the *Bishop* of *Ely*; So none of his most wrathful or malicious Enemies, have been able to accuse him, of any thing that was either *Simoniacal* or *Scandalous* in his *Resignation* thereof, nor was it possible there should, considering to whom he *Resigned* it. And as he therein set a Pattern, worthy to be followed by other *Bishops* in the like Cases; so he hath thereby given the World an undeniable proof, that he is not the Covetous man, he hath been represented to be: and that it is next to morally impossible, that he, who upon such Christian motives, and after so generous a manner, *Resign'd* the *Rectory* of *Burrough Green*, when he might have legally held it, should be capable during his *Incumbency* of committing the Crime of *Simony* in the disposing of, and in *Leasing* out the *Tithes* thereof. Hereunto I might still farther add in the *Fourth* place, that whereas the only *Accusation*, that it was possible either for the Wit, or the rage of the *Bishop's* Enemies, to alledge and advance *Judicially* against him, upon and by reason of the foregoing *Note*, could only have been that of *Falsehood* and breach of promise, in not *Resigning* his Right and Title in and to the *Rectory* of *Burgh*; when *Brooks* should have, and had desired it; yet

there is not one syllable brought against his *Lordship*, either in the *Articles*, or in the *Depositions* of the *Promoters* *Witnesses*, or in the *Summary View*, that doth so much as insinuate any thing of that kind. But instead of his *Enemies* attacking him where he lay open, and had only his *Innocence* to defend him; all the *Artillery* which they have cast and mounted, have been Levelled and shot against him, where he was invulnerable. And this the very *Writer* of the *View*, hath been forced to acknowledge, by owning that as the *Draught* of the *Lease* (whereof we have said enough already) did imply only a *Conventional Simony*, but not a *Real*, (whereof also from its importing of either we have given full satisfaction before) so he hath likewise done it in declaring, that the very *Note* it self, could not amount to the proof of a *Real Simony*, by reason that the *Bishop* had not the *Right of Patronage* of the *Rectory* of *Burrough Green*. From which I may be allowed justly to infer, and (I will add) demonstratively conclude, that the whole which the *Writer* of the *View*, hath taken upon him to say so clamorously of the *Bishop*, because of the forementioned *Note*, is by his own confession meer *Slander* and *Calumny*. And that by his endeavouring from thence to get the *Bishop* believed to be chargeable with *Simony*, he hath only discovered himself to be a weak and impertinent man, and withall an avowed and egregious *Defamer*. And as that self *Contradictory Writer*, hath in the words, I have cited out of his *View*, abundantly vindicated his *Lordship*, both from having been guilty of *Simony*, and from all possibility of being so, by reason of the aforesaid *Note*; so I think I may venture to say, his *Lordship* hath been fully justified from all *Imputations* of that kind, in reference to those *Living*s and *Preferments*, whereof he was *Patron* and which he gave his *Nephew* *Medley*; concerning which, this *Author*, (after all his feeble efforts on that head before) hath here and upon this occasion left an oblique and a malicious, but an impertinent insinuation against his *Lordship*. So that having acquitted my self, with respect to whatsoever would either admit, or bear *Debate*, about the forementioned *Note*; the whole, which I might farther claim a right to do, with respect to that *Branch* of *Accusation* against the *Bishop*, and that *Topick* of *Controversy* between the *Author* of the *View* and me, is to *Ridicule* and *Expose* this weak

Summary
View,
P. 43.

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weak and mercenary, and therefore impertinent, faithless, and contradictory *Writer*. Which I shall spare my self the doing, by quoting a passage or two out of Authors of Wit and Sense, who do it effectually for me. Namely, that in whatsoever I have on this *Theam* been calling him to an account for, he hath not only made himself obnoxious to the censure of *Tacitus*, that *ignavissimus quisque, nimii verbis, lingua feroces*, it is because of his being extremely ignorant, that he hath said so much (as he hath done) and with so great bitterness; but that he hath also brought himself under the reprimand and correction, bestowed by that *Historian* upon some of this *Writer's* size in their Intellectuals and prudentials, that *si quid in ipsis autoritatis est, crebris contradictionibus destruunt*, by his frequent contradicting of himself, he doth both detract from the credit of whatsoever he says, and overthroweth, what he would be thought to establish. Yea I might likewise add, that as this *Writer*, hath made it his endeavour *Fortuita ad culpam trahere*, to turn things which were merely casual and accidental into projected designs and studied Crimes, which (*Tacitus* says) is *mos vulgo*, is the property of the *Mob*; so he maketh that which in the *Bishop* was only a facility of nature, and an easiness of belief, to have been a heinous and punishable offence, whereas *Cicero* would not only have told him, that *credulitas error magis est, quam culpa*, Credulity is a mistake and weakness, rather than a fault; but that *in optimi cujusque mentem facile irrepit*, the best men are the most liable thereunto. Nor should I be unjust either to the *Author* of the *View*, or to them whose mercenary Tool he hath been, should I apply to them as well as to him, an observation and Reflection of *Sallust's*, viz. *uti eorum qui dominantur similtas atque arrogantia fert, ita bonum malumve publicum existimant*, that *Persons, Causes, and things*, are esteemed of, and judged by them, as the *Smiles, or the Frowns* of those on *Thrones*, give the *Advertisement and Sign*. Whereunto I will annex no more quotations of this kind, how much provok'd so ever I am to do it, but will proceed to an Examination of what this *Writer* hath farther produced, in Order to the blackning the *Bishop*, with respect to his Leasing the *Tithes &c.* of the *Rectory* of *Burrough Green* to *Brooks*, where it is likely I may have fresh advantages afforded me both for Baffling and Insulting this *Author*.

P. 44, 45. To take his next Report then in his own words; I shall transcribe it (tho' it be somewhat long) as it is given us in the Summary View. We will say he, take the whole Relation of this corrupt Transaction (i. e. concerning the Rectory of Burgh) from one who has very great Reason to remember it; viz. the Widow of Mr. Brook's who Swears, that her Husband told her a noble Lord had spoken to the Bishop to give him the Rectory of Burrough, and that he had promised that Lord he should have it. That her Husband often waited on the Bishop about it, who told him there must be money in the Case; after which the Bishop came to the said Deponent's Lodging, and told her about the Treaty that had been between Him and her Husband about the Rectory of Burrough; and that the said Deponent saying to the Bishop, she was not willing her Husband should lay out his Money in a Parsonage, the Money being to be raised out of her Fortune, and that her Husband was but a sickly man; that the Bishop told her, that it would be as good as a purchase and Provision for her, not only for her Husband's Life, but hers likewise (for so it should be, tho' this Writer has made it his) and that he was likely to live as long as the Deponent, tho' her Husband was not. That the Agreement the Bishop and her Husband came to, was that he should pay the Bishop 200 Guineas. That after 200 l. thereof was paid, She the Deponent herself paid the other 20 l. to the Bishop at the same time when the Writings were Sealed. And that the said Deponent then telling the Bishop, that she thought it a hard Bargain, he answered say no more of that, I have a Letter now in my pocket, wherein I was proffered 300 l. for it. And that the said Mrs. Brooks farther Swears, that her Husband told her the Bishop would not have the Money mentioned for the consideration, for fear it should be Simony. To which Report of the Author of the View of this Deposition, as I have diverse things to say, as well in the way of observation and Reflection, as in direct Answers thereunto; so I have chosen to transcribe it at the full length, in the very words he hath given it, that the Reader may the more readily justify me, in the severity I shall be obliged to exercise towards him, in exposing his Ignorance, folly, Treachery, and inconsistency with himself. And the first thing, I have to say, is, that whereas Mrs. Brooks had confessed upon Oath, that the Lease of the Tithes of Burrough Green, was only granted for the Term of 31 Years, provided that either the Bishop, or her Husband should live so long; this Writer thro' a weak-

weakness and infidelity peculiar to himself, hath assured us, that the *Bishop* had told *Mrs. Brooks*, that the said *Lease*, would be as good as a purchase and provision for her, not only for her *Husband's* Life, but for hers likewise. 'Tis true, that this silly, Interested, and Bigotted Woman, had Sworn what the *Writer* of the *View Reports*, in reference to what *She* believed, had been agreed upon, and had accordingly been inserted in the first and rude *Draught*; but that doth no ways excuse, either the weakness, or the infidelity, of this *Author*, in that, because of the many Reasons assigned before, it was wholly impracticable, and also by reason there was no such thing included in the *Executed Lease*, (which was what was alone cognizable before a Court of Judicature, and which men of wisdom and integrity, should solely have had a regard unto) but instead thereof, there was that, which was altogether irreconcilable with, and directly opposite thereunto; which Part of *Mrs. Brooks's* Deposition this *Writer* hath wholly concealed; and in so doing hath discovered great fraudulency and infidelity. Seeing if he had either been an honest man, or a candid *Writer*, he ought to have related whatsoever made for the Vindication of the *Bishop's* Innocency, as well as what made to his being defamed for a crime; and he should have had more sense, than to venture his reputation and credit, upon the inconsistencies and self contradictions of a Woman, whose not only Interest, but the influences of others upon her, made her swear, whatsoever either the *Bishop's* Enemies could hope to get advantage by, or she could expect to receive profit from. Nor is it unworthy of particular remark, that as *Dr. Fauconbridge* who was the *Metropolitan's* signal Advocate, and the *Bishop's* great and declared Enemy (of whom we shall either in a Preface, or in a *Postscript* to this Discourse give a Character) not only came to *Mrs. Brooks*, both to desire her to be a Witness against the *Bishop* of *St. David's*, and also to obtain of her, the delivering such Papers, as he hop'd to get his Lordship convicted of *Simony* by; But that even *She* confessed to *Mr. Price*, that not only *Lucy* the Promoter, but others also, would give her a good reward (as she did apprehend) provided she would deliver unto them the Note (whereof we have already fully spoken) concerning his Lordship's promise, to Resign the Rectory of *Burrough Green* to *Brooks*, when he desired it. Whereby we may fully understand, how maliciously and revengefully

Mrs. Brooks,
ad Interrogat. 1.
The Bp's.
11. Wilm.
Art. 5.

vengfully the Bishop was prosecuted, in that not only a *Hue and Cry* was sent through the Nation against, and the *posse Regni* call'd to be in a readiness to Defame and Run him down; but that all which could be done, either in the methods of application, address, and caresses, or in the way of subornation and bribery, was practiced for the mustering up of Witnesses, to blacken and asperse that *Prelate*. Hereunto I would add in the *Second place*, that as most of what Mrs. Brooks Deposed, was upon *hear say*, which (abstracting from her being Mr. Brooks's Wife, and thereupon concern'd in point of Interest, should not have been received for a Legal Witness, whereof more hereafter) ought to have rendred so much of it wholly insignificant, and would have done so before all Men of Integrity and Justice; so from the whole Tenor of that Deposition, it doth both appear, that the Money, (whatsoever it was) which her *Husband* was to pay his *Lordship*, was to be laid out on a Parsonage, (i. e. the Lease of the Tithes which with all Men of knowledge and sense, it was Lawful for the *Bishop, &c.* to make a Demise of) but it was not by reason of, and for a *Curacy*; and also that *She*, as well as her *Husband*, agreed to the Payment of the said Money. And as in all Cases whatsoever, it is taken for a *Rule*, that *volentibus non fit injuria, no Wrong is done to them, who Agree and Consent*; so the Bishop deserveth in this to be commended, that he would not consummate a transaction with Mr. Brooks, about an affair which might affect his *Wife*, without acquainting her with it himself, and having her concurrence unto, and acquiescence in it. Which as he needed not to have done (and which some *Prelates*, whom I could name, would not have condescended unto) so his representing to *Her*, what had been transacting between his *Lordship* and her *Husband*, doth plainly shew, that there neither was, nor could be any thing in the Treaty between them, that could either Scandalously or Criminally affect the *Bishop*. For if I be rightly informed of that *Prelate*, tho' I take him to be a more plain Man, than to set up for a great *Politician*; yet I do believe he hath a better knowledge of the World, than to put his Fortune and Dignity, as well as Credit, into the power of a Silly, and withall a Phanatical Woman, when there was no necessity for it. Hereunto I will subjoyn in the *Third place*, that whereas Mrs. Brooks Deposeth, That after the Payment of 200 l. she Paid the other 20 l. her self to the Bishop, which made up the 200

Guineas;

Guineas; there was nothing in Proof of the full and actual Payment of the 200 *l.* 'Tis true, that the Payment of 100 *l.* by a *Bill* from one Mr. *Burroughs* a *Scrivener* in *Thames-street*, was fully in Proof, and the Receipt of it acknowledged by *Pyemont*, one of the *Bishop's* Witnesses, only with this difference, that *Pyemont* Deposed, *he lived* in *Grace-Church-street*; but for the other 100 *l.* said to have been borrow'd by her Husband of Mr. *Church* in *Windsor*, there is not one syllable in Proof of its having been Paid to the *Bishop*. But instead of that, Mrs. *Brooks* Deposed upon Oath, that she neither knows, nor can tell (not so much as by hearfay) by whose hands it was Paid to his Lordship. Not that I do hereby intend, the denying that 200 Guineas, or the Equivalent of them, were Paid; but I would only intimate, how some People, either from Ignorance, or Prepossession and Prejudice, can admit things to have been Legally proved, and proceed Judicially upon them, as if they had been so, when there was no such thing. And I do the rather mention this, in that most of the 30 *l.* spoken of before, which *Brooks* was said to have spent in his Journey to *Burrough-Green*, was given by the said *Brooks* to *John Williams*, as a Recompence and Reward for his several Applications to the *Bishop*, for obtaining a *Lease* of the *Tithes*, &c. of the *Rectory* of *Burgh*. Nor will it give any Man surprize, that he who should tell both his Wife and others, that his *Expences* to *Burrough-Green* had been 30 *l.* when they had not amounted to a Third part of it, should rebate, and defalcate, and apply to his own particular occasions, either the whole, or a large proportion of the 100 *l.* said to be borrowed of Mr. *Church*. For it is usual with Husbands, (especially such as live upon their Wives Fortunes) to cover themselves from the peevish resentments of their Spouses, because either of their irregularities, or their misapplications of Money, &c. by imposing upon them, and shamming them off with figments and invented Stories. Whereof I could give an example in a certain *Prelate*, upon his Wife's overhearing what passed between a young *Gentlewoman* (whom I have mentioned before) and his Lordship; but that I will not give the Reader divertisement, at the expence of the reputation of a Reverend Father in God. Whereunto let me add in the *Fourth Place*, that it appeareth by several Depositions, (tho' I shall only recite one of them) that whatsoever Mrs. *Brooks* swore unto against the *Bishop*, was after her having

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5.

having made application to his Lordship upon her Husband's death for the return of some part of the *Fine*, which had been paid for the *Lease* of the *Tithes* of *Burgh*, and the *Bishop's* having denied to Grant it, on the foot of Right and obligation, tho' He offered to have given her testimonies of his compassion and bounty, provided *She* would address him, as a supplicant for his Charity and relief. And in my opinion, as nothing can more evidently demonstrate, that there had not been any thing in the *Transactiō* between the *Bishop* and *Brook's*, by which his Lordship could imagine, it was possible criminally to affect him, than that he denied to give her any Money, on the foundation of a claim; so it sheweth him to be more liberal and generous, than his Enemies have represented him, that he offered to be kind to her, if *she* would have thrown her self upon his favour and Grace. And that the Reader may have this in its true and full light, I shall call over what was in proof concerning it. Namely that Mr. Price deposeth upon Oath, his having had several Discourses with Mrs. Brooks, Dr. Cox, and John Williams, wherein it was proposed in behalf of the Widow, that his Lordship would consider her, for the loss She had sustained by the death of her Husband, by reason of the money he had paid for the Lease of Burrough Green, and had but received little therefrom; and that Mr. Price was bid tell his Lordship, that if he should not think fit to commiserate her loss in an ample manner, that there were others would give her a good reward, if she would deliver unto them the Note (whereof we have spoken before) but that the Bishop upon Mr. Price's representing this unto him desired him to acquaint her, that if She would submit to him, and rely on his Charity therein, that his Lordship would allow her considerably towards her loss, but that if She otherwise insisted on any thing, upon pretence that his Lordship was obliged so to do, that She might take her Course, and do what She pleased. By all which, as it is demonstratively evident, how Mrs. Brooks became suborned and hired to be a Witness against the Bishop; so it doth from thence appear in a meridian Light, that his Lordship knew of nothing in his Transactions with her Husband, by which he could be blackned, and much less be criminally affected. And I may be allowed to say, that the Author of the *View* by his concealing of this, hath shewed what a partial, mercenary and faithless Writer, he is. And that he both falleth under the rebuke of the

Comi-

the Comical Poet that *tantum est verum tacere, quantum et falsum dicere*, it is the same thing in giving a Narrative of Facts *Querul.* not to relate a Truth, as it is to tell a falsehood: and also under the severe Censure of the Historian, who tells us that *salutare non minus videtur, qui gesta praterit, sciens, quam, ille qui nunquam facta fingit*, he no less imposeth upon, and deceiveth his Readers, who knowingly omits the declaring what was done, than he who entertains them with fables, in the room of real transactions and of things spoken or done. And forasmuch as the great Roman Orator hath left a reflection on that sort of Writer's, beyond any thing I can say either in way of Wit, Judgment, or Satyr, I shall put the Author of the View in mind of it, that he may learn to write with more candor and impartiality hereafter, than he hath hitherto done. Namely, *Quum quod tu scias, id ignorare emolumenti tui causa velis eos, quorum inter sit id scire; hoc autem celandi genus quale sit, et cujus hominis, quis non videt? certe non aperti, non simplicis est, non ingenui, non viri probi; versuti potius obscuro, astuti, fallacis, malitiosi, callidi, veteratoris, vafri.* Which sentence, because both of the acrimony in it, and its being so signally applicable to the Author of the View, I shall forbear to translate. And shall proceed to what I have farther to add in the Fifth Place, viz. that after all the clamour which hath been raised, of the great Loss, that Brooks and his Wife had sustained, upon the having paid so much Money for the Lease of the Tithes of Burrough Green, and thro' his having died so soon after their being demised unto him; that yet the said Brooks had thereby a very profitable and advantageous Bargain, and that the Bishop, alone fell under damage. For besides his Granting Brooks a Lease of the Tithes, he did at his request sell unto him Household Goods to the value of above 50 l. for which as his Lordship was never paid; so that Summ being rebated out of the Fine paid for the Lease, it will make a considerable reduction therein, whatsoever it was. To which I cannot omit adding, both as a proof of the Bishop's generosity, and a demonstration that Brooks notwithstanding his dying so soon after he had entred on the possession of the Lease, yet neither was, nor could be any Loser; in that above the growing and ensuing profits, which was all that Brooks could claim, or had reason to expect, the Bishop freely gave him the whole years Rent, which was due from the former Tenant before

fore the Commencement of his Lease. And to put it beyond possibility of denial, that *Brooks* was not such a *Lofer* by that Lease, and because of the *Fine* he paid for it, as he hath been represented to be; it is not unworthy of observation, that the *Corn* and *Profits* of the *Rectory* (during the time *Brooks* lived to have the *Benefit* of his Lease) when Seized upon Execution, discharged above 200 *l.* Debt, which *Brooks* had contracted and run into. Whereby as it fully appeareth, there was no cause for the complaints, which have been made of *Mrs. Brooks's* losses, thro' her Husbands having paid such a *Sum* of Money for the Lease of the *Tithes* of *Burrough Green*; so I cannot forbear adding, that it ought to be matter of trouble to the *Bishop*, that besides whatsoever the *Corn* &c. of the *Rectory*, when seized in Execution, could discharge of the *Debts* which *Brooks* and his *Wife* had there contracted, there were considerable Losses fell upon diverse of his *Lordship's* ancient neighbours and Friends in that place, thro' *Brooks* dying insolvent to several persons, in what he was owing them. And as his *Lordship* can not but bewail, that so many of his friends, should be *Losers* by a person brought among them by his Leasing the *Tithes* of that *Rectory* unto him; so he hath been greatly prejudiced himself, and that in more ways and particulars than one. For besides that as *Brooks* never paid his *Lordship* one farthing for the *Household Goods* (where of I lately made mention) which he sold him; nor ever either paid, or caused to be paid of the 200 *Guineas*, said to have been agreed upon for Consideration of the Lease, save 120 *l.* and that at two payments. So the *Bishop* hath been likewise a great *Lofer* in his having laid out and expended 30 *l.* in the reparation of the *Parsonage House*, and out *Houses* &c. which *Brooks* during his being in possession of the *Rectory* of *Burrough*, and his Residence there, had suffered to run into decay, and to become *Dilapidated*. Not to mention his *Lordship's* being liable to pay above 10 *l.* to *Mr. Burrel* for his Serving the Cure in *Brooks's* life time; or that otherwise the Gentleman must lose it. But finally and in the Sixth Place, I have this farther to add, that the admitting *Mrs. Brooks* to be a *Witness* against the *Bishop* of *St. David's*, was against all *Rules of Law*; and his *Grace* of *Canterbury*, together with those of his *Assessors*, who in concurrence with him, laid weight upon her *Testimony*, did thereby in effect declare, their business was

not

The Bp's.
17. Alleg.
15. Nov.
1699.

His 18.
Allegation.

not so much to Try his *Lordship*, as to condemn him. For besides, that it is generally agreed upon by the *Doctors* (and which the *Writer* of the *View* should have known, tho' there might be reasons given, why the great *Metropolitan*, possibly might not) that *Crimen non probatur, nisi per testes exceptione majores*, *Innocentia vero per testes minus idoneos*, no man is to be held convicted of a Crime, unless on the Depositions of Witnesses who are above being excepted against, whereas the Innocency of such as are accused, ought to be esteemed, vindicated on the Testimonies of those who may be liable to objections; so it is an established Rule among *Civilians*, that *qui in re sua testimonium dicere conantur, a testimonio penitus arceantur*, whosoever offer to Swear in reference to a matter, wherein they are not only Interested and hope to be gainers if they be believed; but who have also declared themselves injured, and that they were resolved to be revenged; how that all such are to be wholly shut out and debarred from being Witnesses. Yea the *Civilians* are not only positive, that *consanguineos & adfines in causis criminalibus ne audiendos* *Farin. in quidem esse, et licet in Civilibus audiri possint, non tamen plenam fidem facere*; that *Kinsfolk* and *Relations*, are not so much as to be heard in giving Testimonies in causes that are Criminal; and that tho' in Civil Causes they may be heard, yet that entire credit is not to be given to them in what they depose: but it is also received by the *Doctors* as a *Maxim* and *Rule in Law*, that tho' *ob inimicitias non repellit testem in causis civilibus, nisi capitales sint; in criminalibus repellit etsi capitales non sint*; persons avowing themselves offended, and who have thereupon signified Anger and enmity, may not be altogether excluded from being Witnesses in Civil causes, provided they be not Capital; yet that in all Criminal causes whatsoever, they are to be refused and rejected, tho' the Crimes which are to come into proof, do no ways affect the life of the party accused and to be Deposed against. So that by this one Instance of allowing *Mrs. Brooks* to be a good and relevant Witness against the *Bishop of St. David's*, we may plainly discover, how much all the Judicial proceedings against that *Prelate*, were contrary to the *Forms* and *Rules of Law*, and consequently what unrighteous as well as severe measure, his *Lordship* met with from the great *Metropolitan*. For as *Mrs. Brooks's* having been the *Wife* of the late *Mr. William Brooks*, and thereupon deeply Interested and concerned in that process, should have been admitted as a just and legal exception against

gainst the receiving of her Testimony, and would have been so in any impartial Court whatsoever; so it hath been made undeniably appear, that *She* not only became provoked to *Smear* against the *Bishop*, by reason of an apprehension *She* had of a *loss* that *she* had sustained, by the *Payment* of a *Sum* of *Money* out of her *Fortune* for the *Lease* of the *Tithes* of *Burrough Green*, and whereof his *Lordship* denied to return her any part on the foot of a *Rightful* demand and *Claim*; but that *She* had been also tampered with and suborned to be a *Witness*; and that *she* did hope for and expect a good reward, for her becoming one, and for her giving up the forementioned *Note*, of which we have said so much already. Yea moreover, as most of what *She* *Deposed*, was meerly upon bare *Hearsay*, and not upon personal and actual knowledge; so none ought or would have allowed such things to have been mentioned, if they had not previously resolved, to condemn the party accused, rather than to judge the cause; and to pronounce him guilty, instead of having him proved so. In that it is expressly provided for in the *Civil Law*, that as they who are admitted to give

Maekenz.
of Crimi-
nal Laws.
Tit. 26.
S. 16.

Matth.
de Crimin.
Tit. de
probat.
P. 742.

Testimony, must always render a sufficient *causa et ratio scientie*, cause and reason of their knowledge, which no one on naked hear-say can do; so it is an established Rule among the *Doctors*, that *si Testes producti, non habeant Testimonii dictionem, quocunque numero fuerint, non faciunt fidem*; if they who are produced for Witnesses, be not able upon their own knowledge to affirm what they depose, there ought no Faith or credit to be given to what they say, let there be never so many of them. To which I may with some confidence withall subjoyn, that there is not so much as one thing Sworn unto by *Mrs. Brooks* against the *Bishop*, which we have not fully shewed to be impertinent, as well as insignificant, with respect to the affecting his *Lordship* with *Simony*, in the *Transaction* between *Him* and *Brooks*, about the *Lease* of the *Tithes* of the *Rectory* of *Burrough Green*. And what the *Author* of the *Viem*, seems to lay stress upon, viz. that *Mrs. Brooks* swears, that her *Husband* had told her the *Bishop* would not have the *Money* mentioned for the *Consideration*, for fear it should be *Simony*, it sheweth him only to be an unthinking, weak and foolish *Writer*. In that as by his own confession, *Mrs. Brooks* swore it only upon *Report* and *Hearsay*, and not on her own knowledge; so this

Summary
View;
P. 54.

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Author had enough before him, even both by the Depositions of the very *Promoter's Witnesses*, and also by the rude Draught of the *Lease* that was *Exhibited*, whereby he might have been fully instructed, that his *Lordship* had never said any such thing. For it undeniably appears, by the said *Draught*, that even antecedently to the *Bishops* altering or interlining any thing in it, there had not been the least mention made therein of any *Money* for *Consideration* of the *Lease*, and that consequently there was no cause for his *Lordship's* saying, he would not have it mention'd in the *Lease*, which he afterwards *Executed*, for fear it should be *Simony*. And whereas this *Author* of great assurance, because of very little sense, doth conclude his *Narrative* concerning the *Lease* of the *Tithes* of *Burrough Green*, by telling the *World*, he is sure, the taking the *Money* (which *Ubi supra.* hath been often spoken of) can be no less than *Simony*, in that the *Bishop* confessed to *Dr. Cox*, that he had received the said money for the *Living* of *Burrough*: I do say, that by his drawing the said *Inference* from that *Expression* (even in case the *Bishop* had used it) and by his with so much confidence daring from thence to fasten *Simony* on his *Lordship*, he hath betray'd a wonderful impudence, attended with very gross ignorance. In that as there are two things belonging to the *Rectory* of *Burgh* (as there do to all Ecclesiastical Preferments of that kind) and those wholly and altogether distinct (tho' not always separate) the one from the other; namely the *Tithes* and *Glebe-Lands* &c. the *Spiritual* and *Pastoral Cure*; so the utmost that malice it self, if accompanied but with an ordinary degree of knowledge, can thence infer is that his *Lordship* either did, or could mean and intend thereby, was his having received money for the *Lease* of the former, but not for his having Granted the *Latter*. Seeing as the word and Term *Living*, may be as fairly construed to relate to the *Temporal profits* appertaining thereunto, as to the *Ministerial Function*, and is as frequently used for signifying the *Secular Emoluments* arising by and from a *Parsonage*, as for denoting the *Curacy* of it; so this *Writer* must be one of a *Corinthian* Forhead, and at the same time of very shallow Intellectuals, and of little acquired knowledge, who because of the *Bishop's* having been said to have used the foregoing expression, dare affirm he is sure that the taking the said *Money*, can be no less than *Simony*. And were I inclinable to make reprisals upon that *Author*, either for his having rais'd

Tacit.
Annal.
Lib. II.

things concerning the *Bishop* to a bigger proportion, and his having represented them under more malevolent Characters, than they can admit, or will bear; or were I particularly disposed to be severe upon him, for his declaring himself *Sure of his Lordship's being guilty of Simony*, because of his having used an *Expression*, which only an enraged man, and one destitute of Sense, as well as of Candor and probity, can venture to interpret to the importing or the implying any such thing; I could tell the said *Author* and others also, of my being *Sure of diverse things*, which it would not not be very pleasing to them or him, to hear of; and particularly, that if his *Grace of Canterbury*, put the same *Paraphrase* upon, and made the like *Deduction* from the *Expression* father'd on the *Bishop of St. David's*, and did them with as much assurance, as the *Writer of the View* hath done; tho' it would be a means of preventing men's being much surprized, that things were carried so against that *Prelate*, as they were; yet it would give but a very mean *Idea* of the Intellectuals, (I will not say of the Morals) of some people in very eminent *Posts*. But as I have no *Reflection* to make upon his *Grace*, on that account; so the only one, I will at this time, and by reason thereof, bestow upon the *Writer of the View*, shall be in the words of the great and judicious *Historian*, namely, that *Flagitiiis manifestis, subsidium ab audacia petendum, recourse, must be had to impudence* for supporting the credit of an *Author*, in his accusing innocent men of vile and punishable Crimes, and in his affirming them positively, and withall without shadow of proof, to have been guilty of them, when only his own being abandon'd thro' his mercinariness, to justify ill things and illegal proceedings made him venture upon the saying them.

But I am to proceed to the Examination of the last Accusation against the *Bishop*, and which the *Author* of the *View*, hath undertaken, as well as endeavoured, to justify and make good. Wherein tho' like *Sampson* in the last *Scene* of his *Life*, he comes forth, as if he had mustered up, and were prepared to exert an extraordinary strength; yet I doubt not but that e're this encounter between him and me be over, it will appear he comes only armed with the *Jaw-Bone* of an *Ass*, and by his wielding whereof, considering in what a feeble hand it is, none of those effects are to be dreaded, which

which the *Philistin's* felt by the like weapon in *Sampson's*. And that I may allow him the Ground to fight upon, which himself hath chosen, I shall waite on him into the field, where he hath drawn up his *Forces*. If the *Bishop*, says he, in his *Ecclesiastical Capacity*, can commit a greater crime, than *Extortion*, or even *Simony* it self, that which he cometh now to consider, is undoubtedly such, viz. the *Crimen Falsi*, of which the *Bishop* was accused; in that he certified under his *Hand*, and *Episcopal Seal*, to *Letters of Orders* that the *Oaths* on such occasions required were given, when really they were not. In which, says he, the *Bishop* was *falsarius* in the most pernicious and stupendous Instance; in that nothing could be acted by him of more fatal Consequence, both to the Church and State: and which Crime, he affirms, is proved against him, in the most ample manner. To the examination of which *Depositions* before I do proceed, I shall desire the *Readers* patience, in my premising of some few things, which may both lead him into, and render him the more capable of judging between the *Writer of the View* and me, with respect to the *Testimonies* he hath produced, and the *Answers* which I am to give. And the *First* is, that *Crimen falsi*, a *Criminal Falsehood*, is defined by *Civilians*, to be a fraudulent suppression, or Imitation of Truth, in prejudice of an other: and as it is expressed in a Book, which the *Author of the View* should not be unacquainted with, it is *veritatis immutatio*, *Reform.* *qua cum factura fratris Conjungitur*; it is such a departure from Leg. Eccle- truth, in what is undertook to be declared, and exhibited as actu- *falsi*. *Tit. de Crimin.* ally done, as draweth after it the loss, prejudice, and damage of *falsi*. *c. 1.* another. And which tho' all Nations in one degree or another, have taken care to prevent in all the kinds of it, by appointing punishments to be inflicted on such as should be convicted to be guilty thereof; yet no people whatsoever hath been less provident in that matter than the *English*, so that there are more Instances of that sort, under one branch or another, in one Term at *Westminster*, or even at one Sessions at the old *Bailey*, yea and elsewhere too, than in most Kingdoms of Europe in an Age. And I beg leave on this occasion to say, that it is to be hop'd some better provision will be made for obviating that crime in one of the main species of it hereafter, than hath hitherto been. In that we have had a late instance before us, which should not only give all men either of Sense or Probity astonishment, but ought likewise to excite

cite their resentment and indignation. Namely, the having the Honour, the Fortune, yea the Life, of one of the greatest *Peers*, and undoubtedly one of the best *Morals*, as well as *Intellectuals*, of the Kingdom, I mean the *Earl of Nottingham*, brought on the Stage, and all those laid to stake, on the Testimony of that little Scoundrel *Fuller*, who is undeniably the greatest *Falsarius* of the World, and that in more ways than one. When the whole, which his *Lordship*, upon his being vindicated from, and justified against the perjurious *falsehoods* of that miscreant, could expect for the reparation of his Honour, and in recompence of the hazard, that his Life and Estate had been brought into, was only the *Ears* of that Varlet and disgrace of mankind, and as the Administration then went, may be not so much. Nor can I bestow better *Epithets* on that monster in all sort of Villany; notwithstanding that I do not only know, what distinguishing and singular respect was paid him at diverse *Pallaces*; but that no fewer, nor meaner Persons, than two *Right Reverends*, were preparing to appear in Print for confirming of several of that infamous Fellows Depositions. And tho' I cannot say they intended to have justified him in what he accused the forementioned Noble Peer of; yet I cannot avoid declaring that their having designed to give the Nation assurance of *Fuller's* veracity in other things, would have left suspicions with too many, that he had not *Lied* so egregiously in reference to the *Earl of Nottingham*, as he is by all men, who have either brains, or honesty, known to have done. To which I will only add, that among the many misfortunes, which have attended a late certain loss our being likely to be forever deprived of the *Memoires* of those two *Prelates* in favour both of *Fuller*, and of his *Informations*, will on some accounts be a very considerable one; and particularly, that it will deprive some people of the advantage, of saying to each of them at one time or another, *ex ore tuo*. But to return to what I was saying in my *First* premise or preliminary, concerning the *Crimen falsi* in general; it is observable, that the ancient *Romans*, made a difference between the *Falsum*, quod ipsa lege *Cornelia*, and the *quasi falsum*, quod *Senatus consulto*, et *Constitutionibus* vindicabatur, the *Falsity* made punishable by and according to the *Cornelian Law*, and that which approached unto and had the umbrage of *Falsity*, which was only punished by

by a Sentence and decree of the Roman Senate, after their having gravely and wisely weighed all the circumstances, relative to persons and things, which met in it. For as there are many different kinds and Species of the *Crimen Falsi*; so there is a vast difference to be made between the singular and individual Facts of *Falsity*, which come under the same Species, by reason whereof, the one is not either in Justice or Equity, liable to have the same punishment inflicted for it, that the other is, and deserveth. But then the *Second thing* I have to premise is, that as the only kind of *Crimen Falsi*, which I am to discourse about, is that which is committed by *Writing*, which is always either by Inserting, what ought not to be Inserted; or by omitting to Insert what ought; so in reference to every *Crimen falsi*, upon which a person being accused comes to be convicted, there ought to be proof that it was done fraudulently. For the words in which the Rules established by *Civilians* run, are, that, *falsum dolo malo scripserit, signaverit, vel signare curaverit*; whosoever become in this way guilty of the *Crimen falsi*, he must deceitfully and in order to an ill design, have written, Sealed, or caused to be Sealed, such things whereof under that stile and denomination he is accused. For as very honest men, may sometimes thro' Ignorance, and at other times thro' surprize or inadvertence, be either misled by others, or heedlessly run themselves, into Facts, which malicious people, and especially their enemies, may not want some one pretence, or another, for calling by the name of *crimina falsi*; so the Doctors have done wisely, both in their declaring that no *Act* shall be accounted *Crimen Falsi*, save what is done *dolo malo*; and also in their giving it for a Rule in Law, that tho' *Falsum dolo Commissum*, be punishable; yet that is not, nor ought to be punished, provided that circumstance and ingredient, do not come into the proof of the commission of it, even notwithstanding there may be *culpa* a Fault or Offence in what was done. Whereof I need say the less, in that it is expressly declared in a certain Book, of which as neither the *Metropolitane* nor the *Author* of the *View*, should be ignorant, thro' it's having been *Emitted* and published by *Royal Authority* for the Regulation of all *Juridical Ecclesiastical* proceedings in this Kingdom, namely, that *Crimen Falsi consistere non potest, nisi fraus et dolus malus ibi concurrerint*, the crime of *Falseness*, can for no fact, be legally charged upon any man, where fraudulency,

Ulpian.
Leg. 2. ad
Leg. Cor-
nel. 9.
paulus Cod.
ad Leg.
Cornel.
de falsis.

Matth.
de Crimin.
Tit. de
Falso. cap.
2.

Reform.
Leg. Eccle-
siast. Tit.
de Crimine
Falsi cap. 5.
and

the intendment of some injury or wrong to another, did not concur and meet in the Commission of it. Whereunto let me add this farther premise in the Third place, viz. that it is likewise a Rule in Law, that the Vindication of the Innocency of a person accused, shall be allowed to be proved both by Fewer, and by weaker Testimonies; than his being Guilty shall stand admitted to be. And therefore the Civilians, do not only say, that *licet Crimen uno teste probari non possit, Innocentia possit*; tho'

Facim.
qu. 63. n. no man shall be Convicted to be a criminal on the Deposition of one
42. Mase. Witness; yet that he may be acquitted and justified from what he
de Concl. is accused of, upon a single Testimony; but they give it for a
905. n. 1. measure, whereby all judicial proceedings ought to be Go-
Auth. de verned, *quod crimen non probetur, nisi per testes exceptione majo-*
Crimin. res; *Innocentia vero per testes minus idoneos*; no man is to be
Tit. de sentenced for an offender and a Criminal, but on the Testimony of
prob. 1. Persons, against whom their lieth no Exception; whereas he may be
cap. 7. absolved, on the Depositions of such, against whom there may be some
 objections. Nor will I multiply quotations out of the Doctors
 in confirmation hereof, seeing it is so particularly Ordained
 in the Book I lately mentioned, to have been set forth, for the
 the direction and Government of our English Ecclesiastical

Reform. Judicatures, that si testes aliqui faciant pro bona fama, seu Inno-
Leg. Ec- centia alicujus ac rursus alii pro mala fama, seu noxa, quod præ-
clesiast. ferantur hi qui pro Innocentia fecerint, modo alias ipsi testes inter
Tit. de se aequales fuerint; when some persons swear to defamatory things
Testib. against men, and appear for the proving guilt upon them; but that
cap. 46. others at the same time do Depose in Vindication of their reputation and
 Innocency; that in such a case, the latter shall be always preferred
 unto, and more believed than the former; provided, that they
 who give Testimony on the one side, and they who do it on the
 other; do stand on the same foundation and bottom, with respect to
 the qualities, and qualifying conditions required in Witnesses. Where-
 unto I have still a farther premise to add in the Fourth place,
 namely, that whensoever the matter in process, and that which
 is to come under proof, is whether what the Law hath in order
 and subserviency to such an end and design, appointed
 and ordained to be required, and to have been executed,
 was accordingly so demanded, exacted and seen performed)
 or whether it was neither done, nor so much as demanded
 to have been done? That tho' in this Case, there are some
 who Swear to its not having been either required or perform-

ed;

ed; yet that if there be others of equal reputation with those, and who were not only both *Oculati & auriti testes*, Seeing as well as *Hearing Spectators* and *Witnesses* thereof, but were *Parties* and *Actors* in the *Execution* and *Performance* of it themselves, that on this *diversity* among the *Witnesses*, and the *contrariety* between their *Testimonies*, more *Faith* and *Credit* ought always to be *given* to the *Latter*, than to the *Former*. Seeing it is both a *Principle* in *Reason*, and a *Rule* in *Law*, that *major fides habenda duobus testibus affirmantibus, quam mille negantibus*, two who *Depose* affirmatively, are sooner and more to be believed; than a thousand who do *Swear* only to a *negative*. And it is just, and withall indispensably necessary it should be so, in that as it is impossible, that men of common sense, and of the most vulgar Understandings, should be either deceived or mistaken, in what they not only saw and heard, but in what themselves acted and did; so not to give entire faith to such in what they swear, (provided they be *homines probi* and *legales*, as those undoubtedly are, who deposed to the *Bishop* of *St. David's* having *administred* the *Oaths*, which the *Statute* upon such an occasion required) doth both interfere with all the measures of *Christian Charity*, and is also directly subversive of all the *Trust* to be given to mankind, without the allowance and exercise whereof, there can be no *Administration* of *Justice* in the *World*. Whereas in such who *depose* to a *Negative*, many things may occur and interveen, such as their ignorance, their inadvertence, and their being unacquainted with the methods and forms, reason whereof they may come to be deceived or mistaken in what they swear unto; and tho' thereupon they cannot be altogether excused from weakness, yet these things may in some degree conduce to the vindicating them from the having been guilty of wilfull Perjury. Nor can I here omit taking notice, how in the case before us, they who *Deposed*, that the *Oaths* had been *Administred*, should have been much rather believed, than they who *Deposed* to their not having *required*; in that, such whose *Testimonies* make for the *absolution* of the person *accused*, ought (*ceteris paribus*) to have always more *Credit* given to them, than they whose *Depositions* tend to his *Conviction*. For as I have said before, it is not only agreed upon by all *Divines* as well as *Lawyers* whatsoever, that *promiora jura ad liberandum, quam ad condemnandum*, the *Laws* are to be construed more to favour

a persons being acquitted, than his being convicted; and that *satis est nocentem absolvi, quam Innocentem condemnari*, it is better that one who is guilty should be absolved, than that one who is Innocent should be condemned; and likewise that *preferendi sunt testes qui absolvunt, his qui condemnant* Witnesses who depose to ones being guiltless are always to be preferred to those who Swear to his being guilty: so all the aforesaid Rules and Maxims of Divines and Lawyers, have their foundation both in Reason and Religion, and are equally supported by what is Revealed unto us, as by what we are still led into by the Dictates of our Reasonable Nature, under all the darkness and corruption, which our rebellion against, and our apostacy from God, have brought upon us. But whereas there may be some people of so little Sense, as both to believe themselves, and endeavour to obtrude upon others, that the *Witnesses* who Swore to the *Bishop's* not having at such times, on such occasions, and to such persons, *Administred* the *Oaths*, which the Law hath appointed, are to be look'd upon, and held for the *Affirmants*, in that they *Deposed* to his *Lordship's* being *Guilty* of the *Crimen Falsi*, whereof he stood positively and affirmatively accused; I shall therefore subjoin something for the setting that in its proper and full Light. Namely, that as in *Cases*, where not only the *Articles* Exhibited are in *affirmative* Terms, but even where the *Witnesses* do Swear *affirmatively* to the *Facts* which are charged, it is nevertheless allowed unto the *Party Impeached*, to vindicate his Innocency by reasons and arguments of any sort, which may either directly or consequentially invalidate, and detract from the belief, of what was Sworn unto in proof the accusation. As not only *Alcibiades*, when being arraigned for having overthrown the publick *Statues* and *Images*, and whereof there were several *Witnesses* who *Deposed* to his being *Guilty*, thro' Swearing that they had seen him do it such a Night, did vindicate himself from it, by proving the *Moon* did not *Shine* that Night, and consequently that none could have seen him do it; but as *Cicero* likewise in his defence of *Roscins* the *Son*, who was accused of *Parricide* for his having murder'd his *Father*, procured him to be absolved, by proving, that when the *Father* in his return from Supper was killed at *Rome*, the *Son* was then in the Country; so it is undeniable that when *Depositions* are purely *Negative*, Courts of Judicature ought to be more favourable

vourable to such who are accused, as indeed the Laws are remarkably so. For the matter in that case to be attended unto, is not in what words the *Indictment* is laid, but *how* and after what *manner* the *Depositions* are given. And as all the Informations and pretended proofs, upon which the *Bishop* was charged with the *Crimen Falsi*, do import only an *Omission*; it is both contrary to good sense, and inconsistent with the nature and intendment of Language and Speech, that the *Witnesses* should be otherwise esteemed and accounted of than the having Sworn merely to a Negative. And therefore that what I have laid down in this *premise* (whereof I shall have occasion speedily to make an advantage) is worthy of the Readers consideration. But finally, I have this still moreover to premise in the *Fifth place*, that whereas the *Writer* of the *View*, as well as the *Promoter*, have been very positive in accusing the *Bishop* of the *Crimen Falsi*, they, and their *Complices*, are the Persons, who are most egregiously guilty of it. For as the *Species* of the *Crimen Falsi*, are not only various, but next to innumerable; so the methods in, and the facts by which, they notoriously become *Falsarii*, are both diverse, and of more kinds, than could be well imagined. And that the *Reader* may be the better possessed of some of them, I shall acquaint him with what the *Doctors* say in reference unto, and concerning a few of the ways, by which men are rendered Guilty of *Falsity*. Namely, that *si quis ad instrumendam advocacionem, testimoniave, pecuniam acceperit, pactusve fuerit*; if any do receive, or covenant to have money given them, for the being either *Promoter* or *Advocate* (save what is their Legal Fees, and defrayeth their Expences) they are to be taken for, and punished as *Falsarii*: And that *si quis contra signum suum dixit, i. e. contra scriptum testimonium, quod signo suo confirmaverat*, if any do de-
 either *Article*, or *Depose* against a person, contrary to the information they had given under their hands (as *Lucy* did in relation to the Fees due for *Collations* and *Institutions*) they shall be adjudged *Falsarii*: And that, *si quis falsum dixerit, aut verum retinearit*; if any shall either *Judicially* depose, or *Historically* Report, that of another, which is false; or conceal that which they knew to be true, they shall be reckoned Criminal in that kind: And that *si quis ob testimonium dicendum pecuniam acceperit*, if any shall be hired to give testimony, that both they, who brib'd them, and they who were brib'd, shall be liable to the punishments, which

Mascar.

de probat.

qui. 5. n.

71.

Farin. qu.

67. n. 220.

Matth. de

Crimin.

Tit. de Fal-

so cap. 1.

Mackeez.

Tit. of

Falschood.

the

the *Laws* have appointed to be inflicted on such as are guilty of the *Crimen Falsi*. And how accusable most of the *Bishop's* Adversaries are, upon some or most of those accounts, and particularly the *Writer* of the *View*, because of one or two of them, hath been fully declared, and uncontrollably proved already.

So that having finished these few *Premises*, which I hope the Reader will receive some light from, towards his Judging the better between the *Author* of the *View* and me, in what he hath produced for the fastning of the *Crimen Falsi* on the *Bishop*, and in what I have to say in his *Vindication* from that *Asperision* and *Calumny*; I am now at leisure to attend upon that *Writer*, and to examine how that *Crime* (as he hath Audaciously said) is prov'd against his *Lordship* in the most ample manner. And that I may deal by him with that *Fidelity* and *Candor*, which are Natural to me, and which ought to be Inseparable from every Man pretending to *Vertue* and *Probity*, I shall (as I have all along hitherto done) lay the whole, as well the *Preface*, as the *Depositions*, and his *Reasonings* upon, and *Inferences* from them, before the Reader, without the Addition or Detraction of a Sillable. Namely, That upon the 20th of July 1696, the Proffor for the Promoter did Exhibit the Letters of Orders of Edward Williams and James Harris, who were both Ordain'd Deacons by the Bishop on the 24th of September 1693, and that the Proffor for the Bishop, did in his Presence confess, that those two Letters of Orders, were Subscrib'd with the proper Hand-Writing of the Bishop, and Seal'd with his Episcopal Seal. And that the Letters of Orders of Edward Williams run thus. Nos Thomas Permissione Divina Menevensis Episcopus notum facimus Universis, (for so it should be, and not Univenfis, as in the *View*) quod 24 die Septembris Anno Domini 1693, in Capella infra ades nostras, &c. Edwardum Williams Literatum, &c. (præstitis prius per eum subscriptionibus ac iuramentis in hac parte necessariis ac requisitis) ad sacrum Diaconatus Ordinem juxta morem ac ritus Ecclesiæ Anglicanæ admisimus, &c. In cujus Rei Testimonium Sigillum nostrum Episcopale apponi fecimus. Dat. 25. die Semtembris, Anno supradicti, & nostræ Consecrationis Septimi. Tho. Meneven. And that the Letters of Orders of James Harris, are of the same Tenor, excepting that the words about the Oaths in his, are, præstitisque Subscriptionibus & Juramentis in hac parte necessariis, and that they bear date on the same day he was Ordain'd. And that contrary to this

Summary
View,
P. 46.

Ubi supra,
& P. 47.

this, and in Proof of the *Crimen Falsi* against the Bishop, *Summary*
Edward Williams Swears, that at the time when he was Ordain'd *View*,
 Deacon in September 1693, by the Bishop, Fifteen Persons more *p. 47, 48.*
 were Ordain'd, and that an Oath Written on a Scrip of Paper, *The Promot.*
 was Administred in the Oath of Ordination, to the said Deponent *6th Win.*
 and the Rest, which he believes was in lieu of the Oath of Ordina-
 tion then in force, which as soon as it was done, was snatch'd
 away by some Attendant of the Bishop's, and that Williams cannot
 recollect, what the words contain'd in that Scrip were, but is sure nei-
 ther King William nor Queen Mary were mention'd therein. And that
 James Harris Deposits, that he was Ordain'd a Deacon by the Bishop *Ibid. p. 43.*
 the 24th of September 1693, and that about Fourteen more were *The Promot.*
 Ordain'd at the same time, and that instead of the Oath of Fidelity or *14th Win.*
 Supremacy mention'd in the Office of Ordination, an Oath Written on
 Scrips of Paper, in which neither King William nor Queen Mary
 were named, was Administred to the said Harris, and the rest then
 Ordain'd; and yet, that it was Certify'd under the Bishop's Seal, in
 the Orders, that the said Deponent had taken the Oaths necessary and
 requir'd in that behalf. And that the said Harris in another place *The Pro-*
 Swears, that he well knows the difference between the Abrogated and *mor. 65.*
 New Oaths; and that the New Oaths mention King William and *Win.*
 Queen Mary by Name; and that he the said Harris did not take the
 Oaths Enjoin'd by Act of Parliament, when he was Ordain'd Deacon by
 the Bishop. Now tho' I have not yet recited all which this
 Author hath produced on this Head; nevertheless for the Rea-
 ders sake, whom I would not have put to too much recollection
 of the long and Impertinent Report of this matter, and be-
 cause I would not have this Writer's Charges of, and Allegations
 against the Bishop, and my Defence and Vindication of him,
 lie so far out of view, and at such a distance, as that they can-
 not be easily and readily compared; I shall therefore interrupt this
 Author for a little while, and shall endeavour to give those An-
 swers unto, and to make such Observations and Reflections, on
 what I have already call'd over out of the *Summary View*, as
 may not only render what that Writer hath farther to add very
 insignificant, but leave that opinion of him with all Men of
 Sense and Probity, in reference to what he hath already said,
 as shall not be much for the Reputation of his Wit, nor for
 his Credit in Point of Honesty. And the First thing I would
 observe, is his down right *Chicanery* and Egregious Imposture,
 in his confounding the Day of Ordination which is always Sun-
 day,

day, with the *Ember Week*, or at least with some few days of it, wherein diverse things then transacted, are as commonly said to have been done at the *time* of such an *Ordination*, as if they had been performed and executed on the *very day*, when the *Sacred Orders* were conferred. For instead of this *Author's* acquainting his Readers distinctly, with what was done on the *Twenty Fourth day* of *September* which was *Sunday* and the *Ordination day*, and with what had been likewise done on the *Saturday* or on the *Friday* before; and in the room of putting that distinction and difference between what was transacted, and executed at the one time, and what had been performed and done at the other, (as every candid and faithful Writer and Reporter of matters of Fact, would have taken care to do) the whole which he lays before his Reader (and thereby imposeth on him) is *that at the time when Edward Williams was Ordained, there was an Oath &c. And that on the 24th of September 1693. when Harris was Ordained, instead of the Oath of Fidelity or Supremacy &c. Whereas, had this*

Summary View, p. 47. Ibid. p. 48. Careless as well as faithless Writer but consulted the very Canons of the Church of England, he would not only have found, that as no Deacons or Ministers are to be made and Ordained, save upon Sundays; so he would have likewise learned from thence, that before any are to be admitted into Orders, they are both to be diligently Examined; and to Subscribe to three Articles: and had the said Writer compared what is ordained in those Canons, with the Form of Ordering Priests and Deacons, appointed in the Church of England, he would have found, that none of all this was to be done or transacted on the Ordination day, (tho' every part of it was to be performed at the time of Ordination, i. e. a day or two before the actual giving and receiving of Orders) and in order thereunto: So that this Writer, by his Omitting to take Notice of the distinction between the Act of Ordaining, on the Ordination Sunday Morning, and what was then performed; and the time of Ordination which includes the *Ember and Ordination week*, or at least some few days of it, hath discover'd himself to be either a very Ignorant, or a very treacherous man. Seeing it undeniably appears from what hath been said, that provided he had any knowledge in matters of this nature, (and without which he ought not to have written about them) his Reporting of what we have been discoursing concerning,

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in the manner he hath done, was all artifice, trick, and juggle, for the imposing upon and the misleading and deceiving of his Reader. But in way of farther *Answer* to his foregoing Allegations for proving the *Bishop* of *St. David's* guilty of *Crimen Falsi*, I am in the 2^d place to observe, that the *Author* of the *View*, either by reason of gross ignorance, or egregious infidelity, hath confounded the time or season, when at Ordinations the Oath of Allegiance is to be given, with the time when the Oath of Supremacy is then to be Administred. For as by his producing *Williams's Deposition*, to prove that neither King William nor Queen Mary were mentioned in the Oath Administred in the *Act*, or on the day of Ordination; doth undeniably assure us, that he took the Oath of Allegiance to be then Administred; (seeing in that Oath alone, and not in the Oath of Supremacy, were their Names ever mentioned, whereof more hereafter) so by his quoting out of *Harris's Deposition*, that instead of the Oath of Fidelity or Supremacy mentioned in the Office of Ordination, an Oath written on Scripts of Paper, in which neither King William, nor Queen Mary were named, was Administred to the said *Harris*; this *Writer* hath not only most evidently affirmed that the said Two Oaths were to be Administred at the same time and season, and in the very Office of Ordination, but he hath in effect confounded those two Oaths, and as far as his word and Authority can do it, hath melted, cast and moulded them into One. Whereas the Oaths of Allegiance and Supremacy, are not only two several very Distinct and very different Oaths, but as the administering of them is required previously unto, and in order to Ordination, they neither are to be Administred at one and the same time, nor according to Law can they be. And had the *Author* of the *View*, either look't into the Form and manner of Ordering Deacons, or into the Form and manner of Ordering of Priests, as he would have there found that only the Oath of Supremacy is to be administred in the Office of Ordination; (tho' the Oath of Allegiance, is to be required of all who are to be admitted into Orders, antecedently to their being Ordained) or had that weak and unthinking *Writer* considered, that the Oath of Allegiance is never to be Administred to Persons who are to be Ordained, save and unless in *Curia*; he would thereby and from thence have Understood, that it could not therefore be Administred in the Office or *Act* of Ordination, which is always on a Sunday: in that how ignorant soever

Summary
View,
P. 48.

Ibid.

be, yet he can hardly avoid knowing (especially being a *Civilian*) that *Sunday* is no *Curial* day. To set this matter therefore in its true Light, and that the Reader may have it before him without artifice and disguise, as well as without fraudulency and deceit, I shall briefly but very truly relate, how the *Bishop* behaved himself at the *Ordination* Anno 1693. in the Administration of the *Oaths* to such as were then *Ordained*. And as I do readily Confess, that the *Oath* of Allegiance to King *William* and *Queen Mary*, was neither Administred before the *Bishop* in the *Chappel*, nor in the *Form* of *Ordination* on the *Lord's* day, which was the 24th of *September*, (and that for the reasons which have been already assigned) so I do most positively affirm, that the said *Oath* viz. of Allegiance, was Administred in the *Hall* of the said *Bishop* the day before, which was the 23th. of *September*, when and where all that were to be *Ordained* the day following, did take the said *Oath* in order to their being *Ordained* on the 24th. And then as for the *Oath* of *Supremacy*, I am to assure the Reader, that it was really and actually Administred in the *Chappel* of *Aberguilly* on the *Ordination Sunday*, and in the *Act* of *Ordination*, as the *Rubrick* for *Ordering* of *Deacons* and *Priests* doth appoint. And of what I have now laid before the Reader, concerning the *Bishop's* having Administred each of those *Oaths*, at the times, in the places, to the persons, and after the manner, I have declared, I shall give such undeniable *Proofs* anon, as that I dare Defy even the *Author* of the *View* himself, to find any thing which can have either sense or pertinency in it to except against them. But in the *Third Place*, I have this Farther to say in answer unto, and observation upon the foregoing *Depositions* of *Edward Williams* and *James Harris*, and the *Author* of the *View* his having brought *Allegations* from them, for fastning the *Crimen Falsi* on the *Bishop* of *St. David's*; namely that not only those two *Witnesses*, but the *Reporter* of what they *Swore*, have betray'd that shameful Ignorance, and ridiculous folly, in what is affirmed by them, that instead of having their *Oaths* and *Relations* relied upon, they ought to be look't upon as so many men, who are not *compotes mentis*, and whose *Depositions* and *Summary Accounts*, are as little to be regarded, as the *Talk* of those in *Bedlam*, when in their most delirous fits. For whereas it is acknowledged both by those Two *Witnesses*, and by the *Author* of the *View*, that
there

there was an Oath Administred to such as were Ordained the 24th of Sept. 1693. and that the Bishops Crime was, that neither King William, nor Queen Mary were mentiond therein as Williams doth Swear; or in which neither King William, nor Queen Mary, were Named, as Harris Deposeth, both which expressions are laid hold on by the Writer of the View, and matter of proof drawn from them for convicting the Bishop of the *Crimen Falsi* in the Letters of Orders he had given under his Hand and Seal to the said Williams and Harris &c. In reference hereunto and in reflection thereupon, I cannot forbear saying, that these three Men must either be such Fools by Nature and thro' constitutional Mental Defects; or that they are become so by reason of some incidental Distraction or Lunacy, that nothing which the former have Sworn unto, or the Latter hath Reported ought to make impression on any man of Sense, towards the begetting a sinister opinion of the Bishop of St. David's. Seeing as the only and alone Oath of the Two whereof we have made mention, that was ever appointed to be Administred in the Office and Act of Ordination, is the Oath of Supremacy, and that that was the sole Oath, which the Bishop pretended then to Administer, (or which according to Law and the Form and manner of Ordering Priests and Deacons laid down in the Rubrick, he could) so every one who hath once read the said Oath, knoweth, that neither the Name of King William, or of Queen Mary, were ever in it. Nor was the Name of any King or Queen of England, since that Oath was first enacted, appointed, and Established, ever mentioned by their Names in it. Indeed there is in it an acknowledgment of the sole Jurisdiction of Him or Her on the Throne, preclusive of the Papal Claim &c. but the Name or Names of the King or Queen who were actually Reigning, were never yet expressly and in terms put into the Oath of Supremacy. And tho' there be some alterations in the new Oath of Supremacy from the Old, in that the latter is shorter than the former was, yet there is no such thing as the Name or Names of Him or Her, who have the Sovereignty and who do sway the Scepter inserted in it. And as it is therefore undeniable, that Harris not only Swore at random, but falsely, when he Deposeth that he knew the new Oaths mention King William and Queen Mary by Name, seeing they are not mentioned in the Oaths, taking them in the plural number as his words import,

being only mention'd in that of *Allegiance*, but not in that of *Supremacy*; so whatsoever allowances I could be willing to give unto *Harris*, because of his Ignorance, for the saving him from designed and willfull Perjury; yet it is not to be expected I should give the same to the *Author* of the *Viem*, for the protecting him from being accounted both a thoughtless and faithless *Writer*, in obtruding those things upon his Reader, as true and legal Evidence, when at the same time he knew, that what *Harris* had Sworn, and what he took upon him from his Deposition to Report, and to argue from, as Judicially proved for Conviction of the *Bishop* of the *Crimen Falsi*, was downright Lie and Fiction, and which one of the very *Oaths* (namely, that of *Supremacy*) that he referreth unto and mentioneth, plainly disapproveth and contradicts. Nor can I avoid saying, that I am not only swayed, but determin'd to believe, that both *Williams* and *Harris* were Suborn'd and Brib'd to *Swear* as they did, and that what they Deposed, was Dictated unto, and drawn for them by others. Forasmuch as I do not only know from Persons of great Integrity, that both *Williams* and *Harris* thro' their neighbourhood to *Lucy*, were obnoxious to the impressions and influences of him the *Promoter* in the Cause against the *Bishop*, and that *Harris* in particular, was at that time more at his Command, than a Spaniel is at his Master's; but I have withall such reasons to support me in this opinion, as any impartial Reader will upon the hearing of them, think I have sufficient grounds for Moral certainty in what I say. Nor shall these be offer'd upon Hearsays and Reports from others, but they shall be superstructed on their own Depositions. Whereof the *First* is, that when they Swear, they did not take the *Oath*, wherein *King William* is Named, they have so worded their *Deposition*, as if they would have the Reader believe, that they took it not so much as *antecedently* to their *Ordination*, or in order thereunto; whereas by the very expressions they use, they do so declare themselves and phrase it, as to have this cover from willfull Perjury, and consequently for saving their Ears, that they did not take it in the *Office* and *Act* of *Ordination* (which they were not to do, nor could the *Bishop* then Administer it unto them) In that the *Oath* to be then given was the *Oath of Supremacy*, wherein *King William* is not Named. And the *Second* is, that in their Depositions, (which I am sure they of themselves had not wit to do) they confound, melt down, and

and mould the two Oaths into one. As doth not only appear by *Harris's* Deposing, that instead of the Oath of Fidelity or Supremacy, mention'd in the Office of Ordination, an Oath Written in Scrips of Paper was Administred, when no such Oath as that of Fidelity or Allegiance is there mention'd, or was, or could then be there legally Administred ; but also by *Williams's* Swearing, that neither *King William*, nor *Queen Mary* were mention'd in the Oath Administred in the Office of Ordination, which he believes was in lieu of the Oath mention'd in the Form of Ordination then in force ; whereas as I have again and again said, that no such Oath could be then legally Tendred or Exacted. Now as I durst venture the Reputation of the little Sense I do pretend unto, against any who will stake equally with me, that these two young *Welch Deacons*, could never have drawn *Depositions*, with so much Artifice, Equivocation and Sophistry, as theirs do plainly include and import, unless they had been under the guidance of old Masters of Legerdemain Trick, and Deceit, who Suggested and Indicted to them what they were to Swear ; so I will affirm with a confidence that is not usual to me, that there is nothing in their *Depositions*, that doth, or can Criminally affect the *Bishop*. And that thereupon, and consequently thereunto, the *Author* of the *View*, is either a very weak, or a very ill man, in taking upon him from their *Depositions*, to affirm with that assurance and confidence he hath done, that the *Bishop* of *St. David's* is guilty of *Crimen Falsi*. But to proceed to the next Answer I am to make unto, and to a farther Observation I have to make on the aforesaid *Allegations* of *Williams* and *Harris*, produc'd by the *Author* of the *View*, which is this and my *Third*, Namely, That whereas not only both of them Depose, that the Oath Administred to them in the Office of Ordination, was Written in Scrip, or Scrips of Paper, but which the *Writer* of the *View* seems to lay weight upon towards the rendring the *Bishop* guilty of the *Crimen Falsi* ; his *Loreship* in that part of his conduct, acted not only the part of a discreet and honest Man, but of a Judicious Prelate, and of one who was careful, that they, to whom he was then to Administer that Oath, should be made so acquainted with it, that they might Swear in Truth, Righteousness and Judgement, which God by the *Prophet* requireth, that every one should do, who takes an Oath. Nor could they otherwise have understood, what they were to Swear unto ; in that the *New Oath* of Supremacy was not then Printed in the form of

Ordination

Ordinations of Priests and Deacons, (nor do I know whether it yet is) and which they who were to be Ordain'd could not have known, without the *Bishop's* giving it to them in Writing, which they call the *Administ'ring it in Scrips of Paper*. And for any to think or believe his *Lordship* should have done otherwise, is to wish and desire, he would have made himself guilty of imposing an other Oath, than the Act of Parliament doth appoint. Which as his Enemies would have been both watchful and malicious enough to have taken notice of, (and thereupon have testify'd their revenge against him, for his having Voted in opposition to the *Bill*, for the *Attainder* of Sir *John Fenwick*) so the demerit of that would have been Capital, whereas his Pretended being guilty of the *Crimen Falsi*, made him only liable to Deprivation, and according to Law not to that. Nor is it to be imagin'd, that the *Bishop* should have Administred the *old Oath* instead of the *New*, as those two *Witnesses* do Swear, in that as the *old one* had been Abrogated in the *first* of *William* and *Mary*, so his *Lordship* was neither so weak, nor so ambitious of being brought into Trouble, as to offer the *old Oath* instead of the *New*. Yea were he a *Jacobite*, which I am to reckon no Man to be, who hath taken the *Oaths* since the *Revolution*; yet the *Administ'ring* the *old Oath*, instead of the *New*, would have been no service to the *late King James*, nor disservice to the *late King William*. Seeing neither of them are mention'd in the *Oath of Supremacy*; but all which is there Enacted to be Sworn unto, is only to him who is actually on the Throne, and is Sworn unto him under the Stile of *Highness*. But then 4thly, I have this farther to Reply to the foremention'd *Depositions* of *Williams* and *Harris* recited by the *Author* of the *View*, and from and by which he endeavours to get his Reader perswaded, that the *Bishop* of *St. David's* was legally prov'd guilty of the *Crimen Falsi*, namely, That whereas the whole of that Accusation of, and Charge against his *Lordship*, is founded in the words of his *Letters of Orders*, which he gave to the said *Williams* and *Harris*, viz. *That prestitis juramentis in hac parte necessariis & requisitis, he had Ordain'd them Deacons, &c.* there is not one word in either of their *Depositions*, inconsistent with, or that doth overthrow the belief, that the said *Oaths* were both *requisita* by his *Lordship* (as the Law had appointed) and *Prestita* by them; but the whole which they Swear unto is, that they were not required, of, and Administred unto them in the *Office* and Act of Ordination. Which that of *Allegiance*, where-
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in alone *King William* and *Queen Mary* were named, could not Legally be. So that from thence singly, without my making other Reflections, it doth demonstratively appear, how unjustly the *Bishop* of *St. David's* was proceeded against. And that He who usurped the Jurisdiction of taking upon him the alone Judicial Authority in that process, in order to the depriving the *Bishop* of *St. David's*, desired not proof on which to condemn him, but only wanted and desired something to *Palliate* and *cover* his procedure, which his Tools might call Evidence. But moreover I have this in the *Fifth* place to say, in *Answer* unto, and by way of *Observation* upon the *Allegations*, which the *Writer* of the *View* hath produced out of the Depositions of *Williams* and *Harris*; Namely, that it ought to give surprize unto, and to beget an opinion in all thinking men, that matters were not carried fairly and impartially in the *process* against the *Bishop* of *St. David's*, in that of all the 14 as *Harris* swears, or the 15 persons, as *Williams* Deposeth, who were *Ordained* on the 24th of *September* 1693 only two should be produced by the promoter, and their Examinations exhibited before his *Grace* of *Canterbury*, as to the forementioned *Bishop's* not having the *Administred* the *Oaths* which the *Law* required. And that these two likewise should only be such as had been *Ordained Deacons*; and that none of the *Presbyters* who were then *Ordained*, should have been called upon to Depose in reference to that matter. Nor can any man who is wise, provided he be also honest, imagine any other cause or reason for the omitting to Summon and examine more of those who were *Ordained* at that time, save *Williams* and *Harris*, but that it was both believed and known, they would have *Sworn* to the *Bishop's* having then *Administred*, and to their own having *Taken*, the *Oaths*, which the *Law* had appointed. And that they would have unquestionably done so, we shall give as well full, as undeniable proof, very speedily, from and by the Testimonies of several of them, whereof some are under their hands, and others *Deposed* upon *Oath*. And what a prejudice the omitting to Examine any of those who were then *Ordained*, except the aforesaid Two *Deacons*, might justly beget against the *Bishop* of *St. David's* being *Sentenced* as guilty of the *Crimen Falsi*, the *Author* of the *View*, seems to have sufficiently understood, and therefore by a very remarkable peice of Artifice and of
down-

Summary
View,
P. 49.

downright *Chicanery*, hath endeavoured not only to obviate it, but both to throw the blame on the *Bishop*, that others who had been then *Ordain'd* were not examin'd, and also from thence to infer, his *Lordship's* being guilty of the Crime, he had been charg'd with. For says he, the Reader will joyn with him, in concluding, that if the *Bishop* could have prov'd he had given the Oaths necessary and required at this Ordination in September 1693, he might have produced some of the remaining Twelve Persons, who were then *Ordain'd* with *Williams* and *Harris*; but this, says he, the *Bishop* has not attempted in the whole Cause, tho' he did undertake to prove it, and laid it in the 21st Article of the first Allegation by him given. Which this Author would not have ventur'd to have said, were he not a Person of wonderful Effrontery, of a down right *Corinthian* forehead; in that the *Bishop* both desired of the *Arch-Bishop*, and also of the *Delegates*, that he might be allow'd to produce some of them, which he also offer'd to have done, who would Depose and Attest his *Lordship's* having Administred to them the Oath of Allegiance to King *William* and *Queen Mary* by Name on the 23th of September, and that he had likewise Administred to them the Oath of Supremacy on the 24th, and that as the *Metropolitan* had refused to admit it, under pretence that it was then too late, and that the Process had proceeded too far to have it then allow'd; so the *Delegates* had likewise denied him that piece of Justice, saying their business was only to Examine what had been before his Grace of *Canterbury*, and that they were not to concern themselves with new matters. But then Sixthly, I have this farther to say by way of Answer unto, and Observation on the aforesaid Allegations of the *Writer* of the *View*, out of, and from the *Depositions* of *Williams* and *Harris*, namely, that it not only ought to be suspected, that what they *Swore*, and this Author hath Reported was false; but that it is Morally certain it must be so; In that it had been in proof, how that the *Bishop* had both refused to admit a certain person, (who was known to be learned and pious) into the Order of *Deacon*, (tho' greatly importuned to it) meerly because of his denying to take the Oath of Allegiance to King *William* and *Queen Mary*; and that his *Lordship* had likewise refused to give a License to one who was a *Presbyter*, (and withall, a man of singular worth, and his own particular acquaintance) for the sole cause, and upon the alone motive of his being one of those that are stiled *Non-jurors*. So that from those two things ha-

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ving been Deposed and, Sworn unto, such who consider things without prepossession and prejudice, cannot avoid believing, that what was sworn by *Williams* and *Harris* must be altogether false. And it would be surprizing (if any thing in some peoples conduct could) that his *Grace* of *Canterbury*, should have given credit to two young and ignorant *Deacons* against a *Comprovincial Bishop*, and that in a matter of so great moment, as his *Lordship's* being thereupon rendred guilty of the *Crimen Falsi*; after his *Grace*, had not only had the two things, which I have mentioned, in proof before him, under the Testimonies upon Oath of two credible Witnesses, but when it had been Sworn by them, that in both these cases the *Bishop* had Declared, that the things which had been required of him, were such as he neither would nor could do, in that he was resolved to be just to *King William* and to the Laws. Whereunto by way of farther *Observation* upon, and in Answer to the aforesaid *Allegations*, let me add in the *Seventh Place*, that from its having been in Proof, that the *Bishop* had Administred the Oath of Allegiance at other Ordinations, to such as had been received into Orders, it ought to have satisfied his *Grace* of *Canterbury* (if he had been capable either of understanding what was Satisfaction, or of receiving it) that the Administration of that Oath had not been omitted at the Ordination in September 1693. And to pass by the calling over diverse *Depositions*, which are both full and pertinent to this purpose (because I would not weary and burthen the Reader, when my design, as well as my business is, only sufficiently to inform him, and set him right in a matter, whereof he hath had a very false account, and hath been greatly imposed upon, in the *Discourse* called the *Summary View*) I shall therefore confine my self to the mentioning of two; of which, as one shall be the *Deposition* of one of the *Bishop's* Witnesses; so the other shall be the *Deposition* of a Witness produced by the Promoter. That then which was sworn unto by *George Lewis* the *Bishop's* Witness is, that he having been at several Ordinations of the *Bishop's*, he never saw any thing Omitted, either in the Service of Ordination, or in the persons Ordained, that ought by Law to have been done on such occasions. And agreeably hereunto, it is expressly and positively Sworn by *Jacob Wood*, who was one of the Promoter's Witnesses, that when he was Ordained Deacon anno 1692 and also afterwards when

See the
Deposition
of Geo.
Lewis, the
Bp's. 51.
Witm. and
of Eliz.
Hide his
23. Witm.

The Bp's.
51. Witm.
ad Artic.

The Pro- he was Ordained Priest, he both times took the Oaths required by
mot. 6. Law, and particularly the Oath of Fidelity to King William and
Witt. ad Queen Mary. And as it is usual for such, as have swallowed
Artic. any sort of Oaths themselves how much soever they may have
either stuck in their Throats, or proved hard of digestion, to
be willing and desirous, (in order to their being the more
and better justified in what they have done) that all should
do accordingly as they have, and to grow even peevish to-
wards, and censorious of such as do not, as reckoning them-
selves upbraided by them; so it is altogether inconsistent
with, and irreconcilable to common sense, that a person
acting in a publick capacity, and before many Spectators and
Auditors, should at one time not only act discordantly from,
and in direct opposition to what he had done at another,
when in the discharge and execution of the same affair; but
so as to make himself obnoxious to the Laws, as well as
to the wrath of those then in Power. But finally, and in the
Eighth place, I have still farther another Answer to be given
to the aforesaid Allegations of the Author of the View from
the Depositions of Williams and Harris, and which if I be not
greatly mistaken, will not only undeniably shew them to have
been Foresworn, and to have perjured themselves in what they
Deposed, but which will likewise expose this Writer, either as
a person of a very shallow Understanding in believing, or of
a most profligate Conscience (if he did not) in imposing
those things on his Readers for Truths, which were merely
their own Fictions, or which at the instigation, and on the
subornation of others these ignorant and mercenary Creatures,
contrary to their knowledge were gained to Swear unto.
And besides one Testimony which I have already given in the
119 Page of this Discourse, of one Richard Davies, who is a
very credible person, and which since my reporting thereof,
he hath sworn unto; I shall not only subjoyn the Informa-
tions and Testimonies of two other Presbyters, who were
Ordained at the same time with Williams and Harris, who testi-
fy in direct opposition to what those poor weak Deacons De-
posed; but I shall also annex the Informations and Depositions of
several, of more indubitable Credit, as well as of better judgment,
than they, who were at present the Ordination in September 1693
and Oculati and auriti testes of whatsoever was then transact-
ed.

ed. And the first Testimony of one, who was then *Ordained*, which I shall lay before the *Reader*, shall be that of *Jenkin Williams of the Parish of Landred Clerk*, who doth acknowledge and declare, that on the 24 of September 1693 *hetogether with Edward Williams, James Harris, and others*, were *Ordained in the Chappel of St. John Baptist in Aberguilly* by *Thomas Lord Bishop of St. David's*; at which time, and during the Office of *Ordination*, the Oath of *Supremacy*, which is enjoyned by an *Act of Parliament of the First of King William and Queen Mary* was administred to, and taken by him, and the rest, that were then *Ordained Deacons and Presbyters*; and also that on the foregoing *Saturday*, being the 23 of the *aforesaid September*, the Oath of *Allegiance to King William and Queen Mary*, was tendred to, and taken by him and by the rest in the *Hall of the Pallace of Aberguilly*, in the presence of the *Bishop*, in these words, *I Jenkin Williams do sincerely promise and Swear, that I will be faithful and bear true Allegiance to their Majesties King William and Queen Mary*. And as this is both full and in direct contradiction to what was *Deposed by Williams, and Harris*, so I may venture to say, that it being both an *affirmative Testimony*, and that also of a *Presbyter*, in opposition to the *Negative Testimonies of meer Deacons*, more credit ought to be given unto it, than to theirs. To which nevertheless, and for the more confirmation of this which *Jenkin Williams* hath given under his hand, before *David Lloyd and John Pryse*, two very good *Gentlemen in Wales*, and to which he is ready to Swear before any Court of Judicature whatsoever, I shall add the *Testimony of another Presbyter Ordained at the same time with the aforesaid Two Deacons*, which is that of one *Mr. Herbert M. A.* who with the same positiveness, that *Jenkyn Williams* did, hath declared under his hand before several substantial *Witnesses*, and is prepared to Swear it, whensoever called thereunto, *That having taken the Oath of Allegiance to King William and Queen Mary, on the 23 of September, Administred to him by the Bishop of St. David's in the Hall of his Pallace aforesaid, that he had also administred to him by the said Bishop, and that he likewise took the new Oath of Supremacy in the Office of Ordination, on the 24 September, being the day on which he and others were Ordained*. Yea there are diverse others, who were then admitted into *Orders*, (provided this matter may come under review) that are ready to *Depose the Two Oaths required*

by *Law*, were *Administred* to and taken by them, in Order unto, and at the time of the *aforefaid Ordination*, (tho' not both on the same day, nor in the same place, as indeed they ought not to have been) whose Informations, for the easing of the Reader of what is superfluous, as well as unnecessary, I shall at present in a manner, omit, and only assure the Reader, that both *Mr. David Philip's Rector of White-Church*, and *Mr. Atkin Williams Rector of Llanwrinack*, who were *Ordained* on the said 24 of *Sept. 1693.* and are known to be Persons of good Sense and of great uprightness, have undertook (whensoever called thereunto) to *depose upon Oath*, that the *Oaths by Law required*, were then *Administred unto them*, and to all that were *Ordained with them*. Yea I might even farther add, that I have seen an account under the hand of a very holy as well as Learned Divine in the *Diocess of St. David's*, how that having spoken even with the *aforefaid David Williams*, and on producing to him the *Form and manner of Ordering Deacons*, having Read the *Oath of the King's Supremacy therein contain'd*, and ask'd him whether he had taken that *Oath*? The said *Williams* had thereupon confessed and acknowledged to him his having taken the said *Oath*; And that his mistake in what he *Deposed*, proceeded from his having not before understood, but that the *King was in the Oath of Supremacy*, mention'd and express'd by name. But tho' I do now only intimate these things, as reckoning they may be better reserv'd, at least with respect to a full account of them, till hereafter, yet I do take it to be indispensably needful, and that, which without obnoxiousness to great blame, I cannot neglect, to lay before the Reader the *Declarations and Depositions* of some that were present at that *Ordination*, and who as they perfectly understood, what *Oaths* were at that time, and on that occasion to be taken; So they have with all the Sacredness, as well as Positiveness imaginable affirm'd, that every thing was done and executed, which the *Law* had appointed and required. And forasmuch as the *Author* of the *View*, hath only mention'd *Dr. Francis Thomson*, as the alone person (for which I shall Reprimand the said Writer, and give him Chastisement anon) who hath Sworn, that he had been present at several *Ordinations* of the *Bishop of St. David's*, and particularly at that of the 24th of *September 1693*, and that he observ'd the *Bishop* always *Administred the Oaths of Allegiance and Supremacy to King William*, to such Persons as he *Ordain'd* when
the

the said Deponent was present; I shall briefly acquaint the Reader, that besides my being informed of the *Doctors* having prepared, and that in due time he will publish, such a justification of himself with respect to what he had Deposed, as will render the *Author* of the *View*, contemned and ridicul'd by all, who do lay claim, either to wit, or to probity; I have had the advantage of seeing the following *Declaration* of the said *Doctor* concerning and confirmative of his former *Deposition*, which the said *Writer*, when he could not otherwise overthrow it, hath endeavoured to expose, by his calling it a finishing stroke, and by his desiring the Reader to take particular consideration of it. Namely, that he the said Dr. Francis Thomson doth averr upon his Knowledge and Conscience, that Edward Williams, and James Harris, did take the Oath of Allegiance to King William and Queen Mary by name, in Aberguilly Hall September 23. 1693. in order to their being Ordained Deacons by the Bishop of St. David's the next day, and that on the 24th. they had the Oath of Supremacy Administred to them in the Office of Ordination; and that when in the taking the Oath of Allegiance, King William and Queen Mary came to be named, the Bishop called to some who spake with a lower voice, to speak louder. And forasmuch as the *Author* of the *View*, hath been so silly, as well as impudent, to Report, that the Bishop out of about Seventy Witnesses, had only brought one to speak to this Article, I shall towards the proving him no less an unfaithful than a foolish *Writer*, and also for giving him the reprimand and chastisement, I have threatned him with, lay the *Depositions* of some others before the Reader, which were made in reference thereunto. Namely, that Willfray Pyemont, who lived with the Bishop Six years as his Gentleman and Secretary, and who was with him in the Year 1693, doth Depose, that at all times, when he the said Pyemont was present, either at Institutions or Ordinations (as we may justly suppose he constantly was, because it was both his business to be there, and his interest also lay in it) that the Bishop did always Administer the Oaths of Allegiance and Supremacy, to such as were Ordain'd or Instituecd, and that he never knew any Ordain'd or Instituted, without the taking the said Oaths. Yea the said Willfray Pyemont, doth elsewhere farther Depose, that having been present at the Ordination 1693, he saw the Oaths of Supremacy and Allegiance to King William Administred to the Persons who were then Ordain'd. And agreeably to what was Deposed by

Ubi supra.

Ubi supra.

The Bp's.
Wim. ad
Artic. 21.See his
Examina-
tion Oct.
1698, ad
Interrogat.

Pyemont 3-

The Bp's. *Pyemont*, hath *Robert Douglas*, who liv'd likewise with the Bishop
 47. *Wim.* from November 1688, for about a year and a half, also Swore, that
ad Artic. the Oaths of Allegiance and Supremacy, were during that time, always
 21. Administred to every Person that was Instituted, and we may consequently conclude to everyone that was Ordain'd, there being not only par, but major ratio for it: And with all he positively Deposeth, that the Oath of Supremacy was Administred at all Ordinations. Whereunto I shall only at present annex the Depositions of the two Mr. Charles Pryses, whereof the one of them Swears, that he had been often present when the Bishop Ordain'd, and that he always observ'd him to do, as much according to the Law and Rubrick, as any other Bishop could. And the other Deposeth, that having been at two distinct times of Ordination, (of which that of September 1693 was one, as I am fully ascertain'd by the Testimonies of Dr. Francis Thomas, and Mr. Richard Davies, the last of whom was himself then Ordain'd, and the former was both there, and had Examin'd those who were to be admitted into Orders)

Bp's. 11. *the Bishop did both times Administer the Oaths that were requisite,*
Wim. ad *to such as came for Orders; and that he believes his Lordship did al-*
Artic. 21. *ways give the Oaths required on such occasions. So that having now not only undeniably demonstrated that Williams and Harris did Swear either Perjuriously, or very much at Random, and with-*
all, evidently detected the Sophistry used by them in their Depositions, and that notwithstanding all the fraudulency of them, they are altogether impertinent with respect to the end they are produced for by the Author of the View; but having both fully laid open the Weakness and Infidelity of this Writer, in the Report he hath given of the Ordination by the Bishop in September 1693, and discover'd his Impudence and Falsehood, in taking upon him to affirm, that the Bishop out of about Seventy Witneses, had only brought one to speak to that Article, whereas I have produc'd several who did; I shall here put an end to the Rancounter between the said Writer and me, on that head, by putting him in mind of a saying or two of the Historian, namely, necessarius magis defensionibus, quam honestis usus est, that towards the Vindicating the Proceedings of the Metropolitan, against the Bishop of St. David's, he hath made use of such Defences as he found to be needful, rather than those which he knew to be true, and which an honest man would only have used, and that in his management of the affair we have been Discourfing about, he hath both given us a Commentary upon, and confirm'd us in our belief

Tacit.
Hist. Lib. 2.

lieſ, that *peſſimum veri venenum*, ſua cuique utilitas, that which ^{Id. Hiſt.} transformeth and debaucheth Truth into Fable, and turneth Hiſtory Lib. 1. into Romance, is Mens ſetting up for Authors on the proſpect of Profit and Gain. For when an Advocateship and Knighthood, are to be the reward of relating Falsehoods and Fictions in the room of matters of Fact, there are always ſome who will be found ready to do it, and that with equal Assurance and Confidence, as if they were to relate nothing but matters of Fact, and real Tranſactions. And there always were, and will ſtill be ſome, who provided they can make their Writings Advantageous unto, and means of Raiſing and Enriching themſelves, care not how much they impoſe upon, and deceive Mankind, but will be put upon Treating their Readers under the Stile and Flag of Authors, as Jugglers do their Spectators at a Rary-Show.

But to attend upon this Author to the laſt ſtage of the journey, we ſhall have occaſion to travel and to quarrel with, and to juſtle one another about the Road; I ſhall call over what he hath farther in proof of the Biſhop's falſe Certifying, and of his being thereupon guilty of the *Crimen falſi*. Namely, That he was Summary not only guilty of the Omiſſion of Adminiſtring the Oaths by Law ^{View, p. 49.} required, at his Ordination in September 1693. but that he was alſo guilty of the ſame Omiſſion, at an Ordination on Trinity Sunday 1691 which he ſaith, the Promoter hath proved againſt him, by Exhibiting the Orders of one Robert Owen, of the Tenor following. *V. G. Thomas permiſſione Divina Menevenſis Episcopopus notum facimus Univerſis, quod 7. die Junii anno Domini 1691. viz. die Sanctæ et individue Trinitatis in Capella infra ades noſtras, &c. Robertum Owen &c. præſtitis prius per eum Juramentis & Subscriptionibus de jure in hac parte requiſitis ad ſacrum Diaconatus Ordinem admifiſimus, &c. in cujus Rei testimonium Sigillum noſtrum Episcopale præſentibus apponi fecimus: Dat. die menſis & Ano ſupradictæ. Tho. Mereven.* To which this Author adds, that to prove the Omiſſion of the Oaths in this Caſe; and ^{The Pro-} that theſe Letters of Orders are Subſcribed by the Biſhop, the mot. 60. Promoter did Examine Mr. Edmond Meyrick, who Swears that William he was preſent at an Ordination in the Biſhop's Chappel, and observed that the Oaths appointed in the Form of Ordination was Omitted (I give it as it is in the View, where the Noun is plural, and the Verb Singular) which the ſaid Meyrick remembered by this token, that at the time the Oath of Supremacy was uſually taken, Mr. Powel attending the Ordination, brought the Book of
Ordi-

Ordination and Oath therein to the Bishop, in order to be taken by the Persons Ordained; but the Bishop told Mr. Powel there was no need of it, and so there was no Oath administered to the persons then Ordained. And that he the said Meyrick in another place more positively and particularly Deposeth, that he was present at the Ordination on Trinity Sunday 1691. and that none of the persons then Ordained, did take the Oaths appointed to be taken in the Office of Ordination, or those to the present Government, during the time of Divine Service; and that the Letters of Orders of Robert Owen, (shewn to the said Deponent Meyrick at his Examination) are subscribed with the proper hand Writing of the Bishop, with which that Deponent says, he is well acquainted, and that Mr. Powel was present at the same Ordination. Whose Deposition therefore the Author of the View, hath given us in the Words following. viz. That Mr. Tho. Powel Swears, he was present at but one Ordination of the Bishop's that was in the Reign of King William and the late Queen; That at the time in the Office appointed to take the Oaths from the Ordained, he the said Powel acting as Secretary, designed to hold the Book to them to receive the Oaths by Law appointed, and in order thereto, moved towards them out of his Seat. But that the Bishop beckoned to to him to withdraw, and spoke something to forbid it. And that the said Oaths were not then taken, tho' the Instruments were drawn full as usual. Whereunto the Author of the View farther adds, that upon an other Examination, the same Powel directly Swears, that he was present when Robert Owen was Ordained on Trinity Sunday 1691. and that he did not then take the Oaths of Fidelity to King William and Queen Mary as the Law required. And that Mr. Meyrick was then also present, and that Owen's Orders (now shewn to the Deponent) are Signed by the Bishop, and Sealed with his Episcopal Seal.

Vbi supra,
p. 51.

The Prom.
32. *Witt.*

Now as I have diverse Answers to give unto, and Reflections to make on the Depositions of these two Witnesses, as likewise to and upon the Author of the View, with respect to his Allegations from and out of them; so I will endeavour they may be such, as shall fully satisfy the Reader, that whatsoever they have Sworn, or he hath Reported upon their testimony, is impertinent, sophistical, and false; and that there is nothing save a complication of malice and perjury in the former, and of effrontery and treachery in the latter, with relation to all that has been here called over. And the First thing, I am to beg
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of the Reader, is, that he would consider who those two Witnesses are and to recollect the Characters, which have been given of them before. Whereby as he cannot miss discovering them to be persons of that ill and infamous fame, that nothing which they say or swear ought to be believed; so he will soon discern them to have been such avowed and revengful Enemies of the Bishop of St. David's, that their Testimonies would have been received against that Prelate, before no Judges whatsoever, except such as only sought a pretence, rather than to have matter legally proved, upon which they might condemn him. And that the Characters, how severe they may seem, which were given of them, were below their demerit, and far more modest of them, than they deserved, we shall farther make undeniably appear, in what we are now proceeding to discourse about. In order whereunto, I do in the Second place, desire of the Reader, that he would be pleased carefully to observe, how and in what Terms, the 20th Article against the Bishop of St. David's Runs. Namely, Item we object to you, the Bishop of St. David's that when you have Ordain'd, Instituted, and Collated several Persons, you have certified under your Episcopal Seal, that the Persons so Ordained, Collated, and Instituted, have at the time of Ordination, Collation, and Institution taken the several Oaths by Law required, when in truth no such Oaths have been offered by you, nor taken by such persons. And particularly on the 24th. day of September 1693. you Ordained several Priests and Deacons to the number of 15 Persons, and particularly Edward Williams, James Harris, and others, and did not Administer, or tender to them the Oaths, or either of them, mentioned and required to be taken in an Act of Parliament, Intituled an Act for Abrogating the Oaths of Allegiance and Supremacy, and Appointing other Oaths. Notwithstanding which, you have certified, that the said Persons had taken the Oaths required. Nor can I upon my having recited this Article of the Promoter against the Bishop, be just either to the Reader, or to my self, without Relating in what words, both Meyrick and Powel Deposed and Swore in proof of the said Article. viz. That Meyrick Deposed and Swore in reference to it as followeth, That some Ordination day since the Abrogating the Old Oath of Allegiance and Supremacy and the Establishing the new Oaths, he the said Meyrick, happened to be present at an Ordination in the Bishop's Chapel at Aberguilly, and that he there did observe, that

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the Oath appointed in the Form of Ordination, was omitted to be given by the Bishop to the Persons that were to be Ordained: And which he the said Meyrick remembers by this token, that at the time the Oath of Supremacy was usually taken, Mr. Powel a publick Notary, attending the Ordination, brought the Book of Ordination and Oath therein, to the Bishop in order to be taken by the person Ordained, and that the Bishop told the said Mr. Powel, there was no need of it; and so there was no Oath Administred to the persons then Ordained. Nor is the Deposition of Powel in proof of the said Article, so much disagreeable, either in expressions, or in sense, from Meyrick's, but that men of Understanding and probity must conclude, they were in a Combination and Conspiracy for getting the Bishop Ruined, and had therefore concerted and adjusted together what they should Swear unto. Accordingly Powel's Deposition is, that he cannot remember, that he was present at the Office of Ordination in the Bishop's time but once, and that was in the Reign of his present Wm. ad Majesty and the late Queen Mary, and acting then as Secretary to the said Lord Bishop, at the time in the said Office appointed to take the Oaths from such as were Ordained, he the said Powel designed to hold the Book to them to receive the Oaths appointed by Law, and upon that account did move towards them out of the Seat in his Lordship's Chapel, but that his Lordship beckoned to him to withdraw and spoke something to forbid it, which by reason of the distance he was from him, he did not well apprehend, and the said Oaths were not taken. Now in reflection upon, and in Answer to all this, I have three things to lay before the Reader, which will both discover the collusiveness, as well as the impertinence of their Swearing, and withall give too plain a view either of the iniquousness, or of the imprudence of the Metropolitan, who took upon him, (as I have often said without others, in whom the Canons and Laws in conjunction with him, had vested, the Juridicative power over a Comprovincial Bishop) to judge authoritatively and conclusively in that matter. Whereof the first is, that whereas the said Article, hath charged the Bishop, with the Omitting to Administer the Oaths, which the Law requires, at Collations and Institutions, as well as at Ordinations, there is not one syllable in their Depositions, wherein they mention the Omission of them, at Collations and Institutions. Whereas if the Bishop of St. David's had been such an

Enemy

Enemy to his own requiring, and others taking of those Oaths, as some men have calumniated and Slander'd him to have been ; it is much more likely, he would have omitted the tending and exacting of them, at *Collations* and *Institutions*, where fewer Spectators were present, than at *Ordinations*, where a great number of Persons, either to be *Ordained*, or to be assisting at it, or to behold what was transacted, was always attending. And therefore having already given the *Depositions* of several upon Oath, that the *Bishop* did at all *Collations* and *Institutions*, *Administer* the Oaths, which the *Law* appointed, it not only leaveth a prejudice with all impartial men, against what *Meyrick* and *Powel* have *Deposed*, of his having omitted to give them at *Ordinations* ; but it giveth all men of good sense and probity a certainty, upon no less than *Moral* demonstration, that therein they *swore* falsely and perjuriously. But then I have yet a second thing to acquaint the Reader with, concerning the *Depositions* of *Meyrick* and *Powel* in proof of the *Promoter's* 20th. Article against the *Bishop*, which will still set it in a clearer light that as both those *Witnesses* *swore* fraudulently, and consequently perjuriously ; so he who usurped the alone and sole Jurisdiction in that cause, acted against all *Forms* of *Law*, and thereupon very unrighteously, unless his *Grace* can be excused from the latter, by reason of some qualities very peculiar to him, (which I shall not name) viz. That in the *Depositions* of *Meyrick* and *Powel*, which I have recited, there is not the least mention either of *time* when, nor of *Persons* towards whom his *Lordship* was guilty of the said omission. And as thereupon their *Depositions*, were such as before either a *Wise* or an *Impartial* *Judicature*, would have been accounted to have affected no Man, so the *Metropolitans* receiving them, and the *Author* of the *View's* reporting them, sheweth us, that some People are either very Ignorant thro' defects in their *Understandings* ; or that they are strangely tainted with faults in their *Wills*. For it is not only expressly provided for, in the *Rules* laid down both by *Civilians* and *Canonists* ; but it is likewise universally agreed unto by *Common Lawyers*, yea Enacted in the very *Statutes* of *England*, that all *Crimes* Alledged and brought into Process against any one, shall be fixed to a certain *time* when they were committed, and the *Persons* individually Named, in reference unto, against whom, and upon whom they were Perpetrated.

L. F. de
Accus.

For as among the Ancient Romans, it was a Fundamental Maxim in their Administration of Justice, that none should dare bring any one before the *Prætor*, without putting it into his Accusation of him, *Tale vel tale die illo, vel loco illo commississe*, That at such a time, and in such a place, he had been guilty of such an Injurious or Criminal Fact, (to which, not only all *Civilians*, but the *Canonists*, do unanimously and entirely agree) so it is expressly Enacted in the Statute of the 37. of Hen. 8. That against whomsoever an Indictment or Impeachment is laid, that the Day, Year and Place, where the Wrong or Crime were committed, shall be expressly and determinately mention'd. And were it not so, it would be impossible for any Man, tho' never so Innocent, to Justify himself against a calumnious and malicious Accusation. Into which sentiment, as a *dogma* for the Administration as well of Justice, as of Equity, between man and man, seeing they of most vulgar Understandings (without the exception of any one) do entirely fall; I should reckon it a treating my Readers with more disrespect than I would be guilty of, to pursue this farther, or give ampler confirmation of it. Tho' I cannot avoid saying, that his Grace of Canterbury's admitting of such Depositions, and the *Author* of the *View's* reporting them so as to lay weight upon them, gives me a very odd, and a very mean *Idea* of certain people, who have had the fortune to be Advanc'd to very considerable Preferments of one kind and another. But then I have yet a *Third Reflection* to make upon the Depositions of *Meyrick* and *Powel*, in proof of the *Promoter's* 20th Article against the *Bishop*, and which shall serve as a farther Answer to what the *Writer* of the *View*, hath from, and out of them endeavour'd to impose upon, and mislead his Reader by, that the *Bishop*, thro' having omitted to Administer the Oaths at a certain Ordination, which the Law requires, and yet having certify'd under his Hand and Episcopal Seal, that they who were Ordain'd had taken them, was thereupon guilty of the *Crimen Falsi*. And my *Reflection* is this, namely, That whereas *Powel* Swears to Oaths in the Plural number, which were to have been Administred in the Office of Ordination, and that both *Meyrick* and *Powel* Depose, that in the Act of Ordination, *Powel* brought the Book of Ordination, and the Oath therein, to the *Bishop*, that it might be given to the Persons who were to be Ordain'd, &c. it is most indubitable in it self, and worthy of the Readers observation, that as only one Oath was according to Law to be Administred

ministred in the Office of Ordination, and not Oaths, and that never more than one Oath was in that part of the Book which appoints and declares the Form and Manner of Ordaining Deacons and Priests; so the said Oath being the new Oath of Supremacy, it was not then (nor do I know, as I have said before, whether it yet is) Printed in the Book of Ordination. And consequently that it was impossible, that in bringing the Book of Ordination to the Bishop, the said Oath should be brought therein. Whereby it deniably appeareth, that both these Witnesses, not only were with great Inadvertence, and very much at Random, but that they plainly Deposed Falsely and Perjuriously. Nor can any who shall vouchsafe too look into these Papers, miss taking notice what an advantage from hence I have afforded me, of being severe on the Author of the View, and also on some others, but the whole which I will allow my self to say on this occasion, is, that it must have proceeded either from want of Judgment, or from want of Integrity, that Meyrick and Powel came to be believ'd in any thing they Said or Swore. And that tho' it hath been the Bishop of St. David's misfortune, to suffer upon, and because of their Testimonies, yet the Reproach and Disgrace must at last fall to the share of those, who have laid his Lordship under Sufferings upon their Depositions.

But it is time I should proceed to an other Observation on the Promoter's 20th Article against the Bishop of St. David's, and upon the Depositions of Meyrick and Powel in Proof of it, by which, if I be not greatly mistaken, all the Proceedings against that Prelate, will fall under wonderful Disparagement, as well as be liable to very severe Censure. And it shall be this, namely, how the Bishop's Enemies, after the Process had held long and been far advanc'd, being rendred sensible, that neither that part of the 20th Article, to which Meyrick and Powel Deposed, nor their Depositions in reference thereunto, could (for the reasons which I have already assigned) any ways Criminally affect the Bishop; they thereupon admitted Lucy the Promoter to bring in an Additional Article, and also allow'd Meyrick and Powel to Swear to it. In which Article, and by which Depositions, the Bishop's Omission of Administring the Oaths at a certain Ordination day, and with reference to such a particular Ordination day, and with reference to such an Individual person. For having gotten the Name of one

Robert

Robert Owen, a Deceas'd Kinsman of *Meyrick's*, who had been Ordain'd the 7th of June 1691, which was *Trinity-Sunday*, and they having also found the *Letters of Ordders*, in and by which the *Bishop Testify'd*, that he the said Robert Owen had at his Ordination taken the Oaths, &c. Thereupon both the Promoter frameth a new *Additional Article*, and the aforesaid two Collusive and Perjurious Witnesses, take an occasion of bringing an Insignificant and Impertinent General, where neither time nor Person were mention'd, to a fixed day, and to an Individual Man. And having already given the *Depositions* of those two Witnesses in Proof of the 20th Article, wherein by Swearing with an Assurance and Impudence peculiar to the worst of Men, they had endeavour'd to fasten the aforesaid Omission on the Bishop of St. David's, I do think it needful to give the Promoter's said *Additional Article*, in confirmation whereof, they were permitted to Depose. Namely, that on the 15 of December 1697 he the said Lucy the Promoter, doth annex and Exhibit the Letters of Orders of Deacon of Robert Owen, and to all effect in Law doth alledge, that the said Letters of Orders, were and are subscribed by and with the proper hand writing, and Sealed with the Episcopal Seal of the said Thomas Lord Bishop of St. David's, and that the said Robert Owen was Ordained Deacon on Trinity Sunday 1691 &c. and that at the time of the Ordination of the said Robert Owen, the said Robert Owen did not take the Oaths by Law required, as is certified in the said Letters of Orders. In reference to which Article, and *Meyrick's* and *Powel's Depositions* upon it, I beg the being allowed first to give both their *Depositions*, and then to make some Observations upon them. *Meyrick* then Swears in reference to this *Additional Article*; That he was present at the Ordination on Trinity Sunday 1691, and that none of the persons then Ordained, did take the Oaths appointed to be taken in the Office of Ordination or these to the present Government, during the time of Divine Service &c. and that Mr. *Powel* was present. And accordingly the said *Powel* Deposeth, that he was present when Robert Owen was Ordained on Trinity Sunday 1691, and that he did not then take the Oaths of Fidelity to King William and Queen Mary as the Law required. And that Mr. *Meyrick* was then also present &c. In answer to which *Depositions*, I shall in the next place observe two things, whereby not only the Villany of the Bishop's Prosecutors, but the imprudence (if not something worse)

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of him who was his Judge, will become farther Detected and displayed. Whereof the *First* is, that it is against Law, that after *Articles* have for diverse years been *Exhibited*, and a *Process* upon them not only *Commenced* but almost brought to a period, to admit the *bringing in* of *Additional Articles*. For I may say, that all the *Rules* established by the *Doctors*, do expressly forbid and condemn it. Which the *Author* of the *View* ought not to have been ignorant of, nor to have given that countenance he hath done, to a practice directly repugnant to the *Maxims* of the *Civil Law*. For which that I may as well reprimand the said *Writer*, as shew how illegally the *Bishop* of *St. David's* was proceeded against, I shall call over, and acquaint the Reader with some of them. Namely, that *ubi incipit accusatio, desinit inquisitio*, when a process is once begun, all Inquiry after new matter ought to be at an End: And that in *crimina libus*, (as I have formerly said) *non licet vagare*; in criminal Accusations, no wandering is to be allowed, from what was at first *Articled* and *Charged*. And that as *quod semel placuit amplius displicere non potest*; whatsoever a promoter hath been so pleased with, as to form it into accusation, he must not afterwards either alter, or depart from; so that *de quare cognovit* Reg. Fur. *judex, de ea quoque pronunciare cogendus est*, whensoever a judge hath a matter judicially before him, he is obliged to proceed to give sentence upon it, as it had been stated and laid. Whereunto I might add out of the *Cannon Law*, that in *procuratoribus, actus præcedens, subsequentem limitat, et interpretatur*; every promoter is to be restrained unto what he did at first alledge. And the reason why these *Rules* are come to be established by the *Doctors*, is *ne quis facile ad accusationem percurrat, that none may dare to be hasty in accusing another*. But being about to hasten to an end, I shall neither quote any more either from *Civilians* or *Cannonists* to this purpose, nor take the advantage, which I might, from what hath been cited, not only for chastising the *Author* of the *View*, but for leaving Reflections on some others, which it would not be grateful to them to have made, tho' just in me to make them. And therefore I shall proceed to the *Second* thing, which I undertook to observe with respect to the *afore-said Additional Article*. And that is the said *Article's* being *Exhibited* by the *Promoter*, and *Receiv'd* by his *Grace* of *Canterbury*, not only when the *Process* was drawing to a Conclusion, but even after his *Metropolitanship* had *Declar'd* that he would

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receive no farther *Allegations* from the *Bishop* towards his Vindication from what he was Accused of. Now as nothing could be more Unjust, as well as Unreasonable, than to Receive an *Additional Article* against a Person Accused, and at the same time to Preclude from making his Defence, so it was the Acting directly in Contradiction to all the *Rules of Law*. For as the *Civil Law* alloweth many things, in favour of the *Libelled* against, as the *Civilians* call it, or as we stile it, *Articled* against, which it doth not vouchsafe to the *Libellers* or the *Articlers*, whereof having mention'd several before, I shall not here again repeat them; so by the very *Laws of England*, there is that care in all Criminal Causes taken of, and that Provision made for the *Defendent*, beyond what is granted to the *Plaintiff*, that they to and with whom, the Juridical hearing and giving Sentence is committed and entrusted, are said to be *Council* in behalf of the *Defendent*, as well as his *Judges*. But how dissonantly from, and in avowed, as well as plain opposition to all this, his *Grace of Canterbury* behaved himself in the *Case* of the *Bishop* of *St. David's* with relation to the matter we are discoursing about; will be made uncontrollably manifest, tho' not very much to the credit of some people, by what I am here to subjoyn in *Relation* of true matters of *Fact*. Namely that as the *Arch-Bishop* concluded the Cause, before the *Bishop* of *St. David's*; could either have *Witnesses* examined in *Wales*, concerning his having *Administred the Oaths*, which the *Law* required on *Trinity Sunday 1691* or put in any *Allegation*, of his being able to prove he had given them; so notwithstanding my late *Lord Chancellor Summer's* had promised in the *House of Peers*, that the said *Prelate* should have liberty before the *Delegates allegandi non allegata*; yet diverse of those who were appointed *Delegates*, (and of whom some had been *Assessors* unto, and *Approvers* of all his *Grace's* steps and measures, in his taking upon him the sole Authority of Trying the *Bishop's* Cause, which neither according to *Law* or *Equity*, ought to have been) refused to admit his *Allegations*, or to hear the *Witnesses* whom his *Lordship* offer'd to Produce, for proving that on the aforesaid *Trinity-Sunday 1691*, he had *Administred the Oaths*, which the *Law* appointed, to those who were then Ordain'd.

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And that I may both set this in a full and clear light, and withall give my *last*, and at the same time a direct *Answer* to the *Author* of the *View*, with respect to his *Allegations* out of, and from the *Depositions* of *Meyrick* and *Powel*, I shall not only acquaint the *Reader* with what diverse have informed, and are ready, whensoever they are call'd, to Swear unto, and what another hath actually deposed upon Oath, who were all *Ordained* on the said *Trinity Sunday* 1691 which may cause some people to blush, if they have but so much *rubor* left as is *virtutis color*. For whereas there is no *Testimony* whatsoever of *Robert Owen's* that he had not taken the *Oaths* at his *Ordination* on *Trinity Sunday* 1691. but the whole pretended to be in proof is, that two known Sophisters and Jugglers, and the Bishop's malicious and professed Enemies, having found the *Letters of Orders* granted by the *Bishop* to the said *Owen*, certifying that they had been *Administred* to, and taken by him; the two aforesaid men of artifice and deceit, did thereupon, and from thence take an advantage of *Forging Depositions*, wherein they affirm, that the said *Owen*, who was not alive to contradict them, had not taken the *Oaths* required by *Law*, when he was *Ordained*. In opposition whereunto; I do not only here declare, that *David Phillips*, and *Atkins Williams*, who were *Ordained* on the same *Trinity Sunday* with *Robert Owen*, have both positively asserted, and have offered to *Depose* upon Oath, whensoever legally called so to do, that the *Oaths* which stand *Enacted* by the *Statute* of the *First* of *W. and M.* were at that time *Administred* by the *Bishop* and taken by them, and also by *Robert Owen*; but I shall withall subjoyn the *Testimony* upon Oath of a very Reverend and worthy person, who was *Ordained* likewise at the same time, by which, all that are not thro' prejudice and obstinacy uncapable of conviction, may be fully ascertained that *Meyrick* and *Powel* Swore in construction perjuriously, and with design Sophistically. Nor will it much surprize, me if after my having produced it, there be some found, who thro' meer hatred of the *Bishop*, continue in the opinion they were, of his *Lordship's* not having then *Administred* the aforesaid *Oaths*; in that I do know there is a certain people in *England*, who have that command over their consciences, as to believe nothing, tho' never so well attested, save what they have a mind to. So that even a certain matter of Fact, cannot obtain belief with some, who would fain

be accounted distinguished, because of their vertue, as well as their sagacity, from others, notwithstanding it hath not only been *Sworn* in the *Court of Chancery*, and that by many persons, of as great quality, as admirable sense, and as singular honour, as any of the Kingdom are; but it is also *born Witness* unto by *God*, in those *Strictures* and *Features* which he hath stamped and engraven upon his own workmanship, and hath given to him as *Divine Credentials*, who he is. Which made a very eminent *Painter*, on his seeing a certain *Picture*, say, that they must be very injurious to him whose *Picture* it was, who spoke detractingly of him, in that tho' *Tongues* might lie, the *Pencil* could not. But to return to the giving the *Deposition* I promised, which is that of one *David Williams Clerk*, who hath made *Affidavit* to the effect following. Namely, That he, *David Williams*, with *David Phillips*, *John Lloyd*, *Atkins Williams*, *Robert Owen*, *Samuel Price* and others, went to *Abergwilly* for *Holy Orders* at *Trinity Sunday 1691*, and that he with the persons aforesaid attending at *Abergwilly* the week before the *Ordination*, did on *Saturday the Sixth of June* after their *Examination* and *Subscription*, take the *Oath of Allegiance* to *King William* and *Queen Mary*, in the presence of the *Bishop*, who administred it to them. And that the *Bishop* missing *Robert Owen*, sent him the said *David Williams*, to call the said *Robert Owen* to take the said *Oath*, which the Deponent having done, the said *Robert Owen* came and took the *Oath*. And the said *David Williams* hath farther made *Oath*, that the day following being *Trinity Sunday 1691*, he with the persons before named, in the *Office of Ordination*, and according to the direction thereof, took the *Oath of Supremacy*; and that *Mr. Charles Pryse* late precentor, *Edmond Meyrick*, and *Thomas Powel* were then and their present, when the *Oath of Supremacy* was Administred. So that from these positive *Informations*, and affirmative *Affidavit*, every impartial and honest *Reader*, must be convinced how wrongfully the *Bishop* of *St. David's* was proceeded against, upon a pretence of having omitted to Administer the forementioned *Oaths* at the time aforesaid. Nor do I question the being justified in the *Characters* which I before gave of *Meyrick* and *Powel*; when it is observed how falsely and perjuriously they Swore, to the *Bishop's* having omitted the Administring the *Oath of Supremacy* on *Trinity Sunday 1691*. For they having not only been then and there present,

sent, but being persons who do better understand the nature and words of the *Oath of Supremacy*, than the two forementioned ignorant *Deacons* did; it must be concluded, that it was not thro' mistake; but thro' wilful treachery, that they Swore so falsely, and thereupon so perjuriously as they did. Nor is it any ways credible, that the Bishop, who but a few days before the *Trinity Sunday 1691*, had Administred the *Oaths by Law required* to Meyrick himself, (upon his Lordship's having Collated him to the *Treasurership of St. David's*, which is the best preferment in the *Diocese*, and whom that ungrateful man hath so ill requited for it, as he hath done) would have omitted to give them to such whom he Ordained so soon after. For if the Bishop were the man he hath been represented for, and would have Omitted the giving them to any, to whom the *Law* hath appointed them to be Administred; it is much more probable, he would have been guilty of that Omission to Meyrick, who for some time pretended to be a *Nonjuror*, than to those who never did. 'Tis true, it was not in the *Vertue* of Principles, that Meyrick so long forbore taking the *Oaths* to King William and Queen Mary, as he did, even to the suffering of *Deprivation*, in that thro' his having antecedently thereunto, secured his *Presentation* to his *Rectory*, and his *Collation* to his other *Living*, and to two *Dignities*, as well as by all his behaviour since he conformed, he hath rendered it unquestionable, that his standing out so long as he did, was not upon motives of Conscience, (for those he is unacquainted with) but for political ends, and under the impression of secular views, as particularly from an expectation, that the late King James would have been speedily restored.

But being hastning to an end, the only thing left to be taken notice of in the *Summary View*, is that the Author thereof hath declared, his thinking he may have leave to say, That the Bishop's Passion had made him forget himself, when in 1697, he told Mr. William Harris, that he had never omitted giving the *Oaths* but once, and that was when he Ordained for another Bishop. In answer whereunto, I shall take the liberty of saying something to the said Author, which it will not be very pleasing unto him to hear. Namely, that as the said Will. Harris hath been made appear to be two infamous, for any one of common sense, to stake his credit, as an Historian, upon

what that fellow Deposeth; so if this *Writer* had not something about him, which doth more *Unman* him, than the *Bishop's Passion*, which he mentioneth, could make his *Lordship* forget himself; he must have understood, that as what *Harris* Deposed, must be a downright Falshood; so that his *Reporting* it, and his endeavouring to make an inference from it, to the *Bishop's* prejudice, would only serve to give proof of his own weakness and folly, as well as of his malice against that *Prelate*. For he not only might, but he should have known, that the time referred unto, is, when the *Bishop* of *St. David's* *Ordained* in behalf of the late *Reverend Bishop* of *Ely* *Dr. Turner*, while that good *Prelate* was under *Suspension* for refusing to Swear to *King William* and *Queen Mary*, before either his *See* was declared void, or any other named to be advanced to it; and the said *Writer* should have also understood, that it is a very modern practice to give the *Oath* of *Allegiance* at any *Ordination* whatsoever. For I can assure the *Reader*, that as *Dr. Thomas Watson* neither took nor was required to take the *Oath* of *Allegiance* when he himself was *Ordained*; so that during the time he was *Bishop* of *St. David's* in the *Reign* of the late *King James*, he never at that time *Administred* it to any whom he *Ordained*. And I do suppose his most malicious *Enemies* will not accuse him, of being guilty of any omission of *Duty* to that *King* of more blessed than fortunate memory, which his *Lordship* was by *Law* obliged unto. And yet as he never forbore under that *Reign* to *Administer* the *Oath* of *Supremacy* in the *Office* of *Ordination*, (tho' he could not be reckoned to make his *Court* very much in so doing, I mean if the *Commentaries* of a certain generation in that *Reign* may be admitted) yet that good and truly *English*, tho' unhappy *Prince*, never either rebuked him for, or dissuaded him from it. So at his *Lordship's* *Ordaining* in the *First* year of *King William* and *Queen Mary* for the *Bishop* of *Ely* in the *County* of *Cambridge*, he was punctual in giving the *Oath* of *Supremacy* to those whom he then and there *Ordained*. So that in case, he had *Omitted* at that time, in that place, and upon that occasion, to *Administer* the *Oath* of *Allegiance* (whereof there is not the least syllable in proof in all the process) yet it could not be accounted a crime, and much less said to have been done *dolo malo*, which (as we have intimated before) must always attend

tend the *Crimen Falsi*. And the utmost that malice it self, even when accompanied with ignorance, (for these two are Allies in most private Confederacies) can make of it, (supposing it had been so, which doth no ways judicially appear) was only that his *Lordship* had made a false step, before he was well got into his *New Tramels*, and that he retained something of his ancient *Mumpsimus*, after the modern *Sumpsimus* was come into Fashion. And to cover the *Author* of the *View* with indeliable ignominy, for the having taken notice of such an *Omission*, in the manner he hath done (even provided, as I have said, it had been true, which doth not judicially appear) I shall here acquaint the *Reader*, that the present *Bishop* of *Salisbury*, who is avowedly more an Enemy of the *Bishop* of *St. David's*, than becomes a *Prelate* to be to any man, and much less to one of his own *Order*, and especially to one who is his *Comprovincial*, and who is not accounted the discreetest man in the *World*, how learned soever he may be, and is withall held to be a very malicious Enemy towards those, against whom he carrieth pique and revenge, as is not only usually incident, but for the most part natural to such as are constitutionally and complexionally Cowards; yet that the said *Bishop* of *Salisbury* after he had in the year 1691, threatned the *Bishop* of *St. David's* with an *Information* in the *King's-Bench*, for not Giving the *Oath* of *Allegiance* with the *Oath* of *Supremacy*, at an *Ordination* in the *Diocese* of *Ely*, did nevertheless decline and forbear it thro' his own foreseeing, as well as because of his being told by others, that it would only turn to his *Lordships* own reproach and Infamy. So that the *Author* of the *View's* venturing on this, after that *Prelate* had superceded meddling in it, shews that this *Writer* wanteth some of that *Bishops* *Intellectuals*, tho' he may have enough of his excellent *Moral* qualities. For I may presume to say, that whensoever that *Prelate* had withdrawn himself from any farther concernment in an ill natur'd thing, and against one to whom he had enmity, that he must either be a very weak and unthinking man, who substituteth himself in his room, and undertaketh that province, or he must hope to find those advantages by it, as would both accommodate his Covetousness and gratify his Ambition.

But

But whereas this *Congress*, between the *Author* of the *View* and me, is now brought to an end, and all that remains is to call over the words in which he concludes, and to bid *Adieu* to him in the Terms he deserveth, I shall do the first in his Language, and the last in my Own, or in making others speak in my behalf. The words then, in which that *Author* is pleased to take leave of his *Reader*, are these that follow.

Summary View, P. 53.

Namely, thus saith he, I have briefly run through, what I at first propos'd; not enlarging on the proof of the general Fame, which accompanied the several Enormities charged upon the Bishop, but have confin'd my self to the genuine Proofs of the Facts themselves, for which I have all along faithfully refer'd to the Depositions. Whereunto I shall crave liberty to annex those in which I am to take my farewell of him. viz. That I have made him appear, to be instead of a true Reporter of matters of Fact, a very unfaithful and treacherous one; and that in the place of his Relating things impartially, I have demonstrated his having only given what was said against the Bishop, without vouchsafing to acquaint his Readers with what had been said and in proof for him; and I have likewise through this whole Discourse shew'd that as when *duo faciunt idem, non est idem*, so *multi committunt diverso crimina fato*. And I dare venture at our parting to tell him, that as I have upon these, as well as upon other accounts sufficiently expos'd him; so I may both apply to him the old phrase, *quem tua simplicitas risum vulgo moveat*, and also remind him of the ancient Adage, *non soles te respicere, cum dicis injuste alteri*. 'Tis possible, some may think, I have been now and then a little too severe upon him; but I would desire such to consider, that upon finding him to be *faciendis sceleribus promptus, audiendi quæ faceret insolens*, I knew not *aliter tot flagitiis ejus subvenire potuisse*. And as I am not a person, whom either flattery or menace can make impression upon, being altogether of the Poet's opinion;

Tacit.
Annal.
Lib. 15.

Horat.
Epist. 16.
Lib. 1.

Falsus honor juvat, et mendax infamia terret
Quem? nisi mendosum et mendacem.

So I would not have her present Majesty, in a case of this importance, come under the unhappiness, which the *Historian* bewaileth in reference to Gordianus junior, when he saith *miser est Imperator, apud quem vera reticentur*. Nor am I without hope, that

that whereas some time ago, only they of a certain party and faction could write securely, and which they did with an unprecedented insolence and impudence; but that they of the t'other side may now venture to speak their minds, with a little more freedom, than they formerly durst, and that they shall have no more occasion of complaining, of *adempto per inquisitiones et loquendi audiendique commercio*. Nor will I say more at this time to the *Writer of the View*, save that if he think fit to Reply, (which I heartily wish he would, tho' I know he cannot do it otherwise, than in the manner and fashion he writ his *Summary view, ut rana in limo veterem cecinere querelam*) I do here both solemnly promise to rejoyne upon him, being *et cantare pares et respondere parati*; and do also undertake so to do it, as that some people shall not have cause to thank him, for provoking, as well as giving me farther opportunity, of treating them, as I shall be obliged.

Tacit. in
Vil. Agric.

FINIS.



The Extraordinary

C A S E

OF THE

Bp. of St. David's,

Further Clear'd and made Plain, from the several

V I E W S

That have been made of it:

Wherein the Articles against him are Consider'd;
And his Lordship Vindicated from them.

They have Fought against me without a Cause.

Psal. 109 2.

Nemo sine Crimine vivit, optimus ille qui minimis urgetur.

Printed in the Year 1703.

Advertisement.

THE Book here undertook to be Epitomiz'd, though it has been Judg'd, by all Impartial Persons, into whose hands it has fall'n, to be a Just and sufficient Vindication of the Bishop of St. David's; yet because of its very large Bulk and Size, it has been thought not so entirely to Answer the end of its Publication; for 'tis presum'd there are but few who have the Leisure to peruse so large a Volume, or are willing to be at the Expence of Purchasing it: It has therefore been Judg'd necessary to Publish an Epitome, or Abstract of it, (in the Method of the Authors of the Works of the Learned) which is here done exactly according to the sense, and, for the most part, in the Words of the Author of The Large Review, to whom the Reader is referr'd for a fuller account of those things that are but Briefly mention'd here, though not so Briefly, but that they will Justify the Title, and Evidence this little Tract, to be a Full, tho' short Defence of the Bishop of St. David's.

T H E

Large Review

O F T H E

Summary View, &c.

E P I T O M I Z ' D.

THE First thing that I shall take notice of out of this Author is, the Character he gives of the Promoter, and some of the most considerable Witnesses against the Bishop, which he thinks necessary to be consider'd, because on their Authority, he says, the great Metropolitan founded his Sentence.

p. 19, 20.

1. *The Character of Rob. Lucy the Promoter*, he was Son to a Bishop of that Diocese, who has not left a very Extraordinary good Name behind him; For he suffered the Palace of *St. David's* the Collegiate Church of *Breknock* and the Palace at *Abergwilly* in *Carmarthenshire* to dilapidate; He conniv'd at the Residentiary Canons, neglect of Residence whereto the Statutes of the Church of *St. David's* obliged them; He seldom administred Confirmation, tho' he was Bishop of that See, about 18 years, &c.

All which is observ'd only because the Author of the *Summary View*, pretends to advance *Lucy's* Character on the score of his Descent; but since, 'tis plain, he can derive no Advantage on that account, this Author proceeds to consider his own proper and Personal Merit; and here,

1. He observes that this *Lucy* was Secretary to his Father, and during that time (as 'tis in Proof) took Bribes of several persons, advanc'd to Spiritual Preferments, particularly of *Mr. Thomas Powel* of *Glasbury* 20*l.* and the like Sum of *Mr. William Williams* Vicar of *Llanavonvaur*, besides Exorbitant and Illegal Fees, for Institutions, Collations &c.

2. In the Administration of his Registers office, he has exacted excessive and unjust Fees; in Punishment of which, the Bishop actually suspended his Deputy, and threatned to proceed Judicially against him; and at last question'd his Patent to the Register-Office, his Title to which is liable to many Just exceptions, from whence proceeded his wrath and Malice against the Bishop, and in Revenge, came on the Prosecution.

3. This Promoter *Lucy* has stood publickly fam'd for living many years in Adultery with another man's Wife; a very fit Promoter against a Bishop.

4. In the Management of the Prosecution against the Bishop, he has endeavour'd to Suborn several Persons, to Swear what he thought fit to put into their mouths, and threatned such as had the Integrity to refuse him.

5. He has received Money's and Promises of further rewards for undertaking the Office of Promoter, and also divers sums of Money for defraying the Expences of the Prosecution; all which particulars are not surmises and conjectures only, but actually prov'd against the said *Robert Lucy*.

By which may appear to all impartial Persons, not only the Infamy of this Promoter, but also the Wickedness of those who employ'd him, and upon his Perjur'd Witnesses, (as will appear more hereafter) condemn'd the Bishop of *St. David's*. Other particulars relating to this vile man will occur in the sequel of this Narrative, but this is his Picture in litle, fit to be set in the beginning of this discourse. Being a Compendium only of the Character given of him by the Author of the *Large Review*; from whom the Reader, who has a mind to it, may have a fuller account of him, this being extracted only out of the first 25 pages of that Book.

In which follows the Character of *Edmund Merick*, one of the Promoters principal Witnesses.

1. He possesseth in the Diocess of *St. David's*, the Rectory of *Pentecost*, and the Vicarage of *Llanegwad*, the Præcentorship of *Brecknock*, and the Treasurership of *St. David's*, and yet lives at *Carmarthen*, and Scandalously omits to reside upon any of these Preferments, but being admonish'd by the Bishop to Residence, in Revenge, he has Sworn against the Bishop and Perjur'd himself.

2. It has been tender'd in Proof against him, that in an answer upon Oath to a bill exhibited against him 1695, by three poor Carpenters (whom he would not pay for work done by them, according to Articles) he did then, and there, For-swear himself before Judge *Powel* Deceas'd; the history of which perjury the *Large Review* relates at large.

3. Whereas

3. Whereas *Merick* took upon him to Swear, that the Bishop had Simmonically prefer'd his Nephew Mr. *Medley*, to the Arch-deaconry of St. *David's*, &c. The same *Merick* has in a paper which he himself deliver'd to the Bishop, written with his own hand, contradicted and renounc'd whatever he has since sworn in that matter, declaring it as in the Presence of God, &c. Other particulars relating to this man's Character, may be found dispers'd up and down the Book; but this lies altogether.

P. 31.

Another Principal Evidence was one *Jeremiah Griffin*, the Abstract of whose Character follows,

1. He is Rector of *Differth*: 2. Vicar and Prebendary of *Llansanfrefde* in the County of *Radnor*, without Residing on any of his Cures, notwithstanding he was oblig'd by solemn Oath; He had several Monitions given him by his Diocesan the Bishop of St. *David's*, to oblige him to Residence, which instead of Obeying, he with *Meyrick* and others, who were under Monitions on the same account, Conspir'd against the Bishop, and enter'd into a Combination to asperse and defame him.

P. 33.

2. He is of a most notorious evil Life, of a grossly Scandalous and infamous Conversation; for it has been offer'd in proof against him, that he has not only been often seen shamefully Drunk, but that he is generally suspected, and publickly fam'd, to be Guilty of the Abominable Sin of Adultery, which alone, before equitable Judges, would make him be accounted too Infamous to be believ'd in any thing he Says or Swears.

P. 34.

3. The Large Review relates a very Remarkable History of the Transactions of this *Jeremiah Griffith*, in a particular Case; where appears so much Falshood and Forgery, Treachery, Knavery, and to use the words of that Author) so many Premeditated and Complicated Villanies as would amaze any man to think any profess'd Christian should be Guilty of them, and more that the Testimony of such a Vile Wretch should be admitted against a Bishop. It will not consist with the design'd Brevity of this, to insert the History at large here; I shall therefore refer the Reader to p. 37. and 41. of the Large Review, the Author of which, reckons these Characters of the Promoter, and two of the Principal Witnesses (accounted by the Arch-Bishop himself to be the most Reputable of all those who Swore against the Bishop) to be a just Prejudice against the whole Procedure against the Bishop of St. *David's*.

P. 42.

*Accipe nunc Darauum insidias, & Crimine ab uno
Disce Omnes—*

The next thing our Author considers is this, *viz.* that the whole design of falling on the Bishop of St. *David's*, was the result of a Conspiracy of a certain Party, and Faction of men, who upon Political motives and Inducements of Pique and Revenge, united and combin'd to disgrace and Ruin him, of which he produces the following Evidence as clear and undeniable; and here he argues from,

1. The *Si Quis*, or Hue and Cry, which his confederate Enemies sent through the whole Nation, to make inquisition into all the Stages of his Life, that the behaviour of the Tutor might prepare belief (as the *Summary View* intimates) for the Aspersions cast on the Prelate; which method he declares to be extremely unreasonable and repugnant to the Laws of God, and all Nations, and if it should Universally take place, no good man cou'd be safe from the Lash of it; and the very repeating some of the Interrogatories, put to such as were examin'd for the Bishop, to be a sufficient Evidence both of the Confederacy, and the base way of managing it, *viz.* Whether the Bishop did not use to quarrel with his Servants? What Non-Jurors came to his House? Whether he drank King *James's* health, or the late Queen's, or the Prince of *Wales*? Whether he at any time spoke disaffectedly of King *William*? &c. To which he adds, that a Great man encourag'd a search to be made, into all the passages of his Private and Publick Life, and neither his discourses at his Table, nor Prayers at his Chapel, were left unexamin'd to find some pretence against him.

P. 45. This indeed is an Original, not fit to be Copy'd, nor brought into Precedent and example, He observes the ways and means that were taken first to Debauch his Family, into an Opinion of his being Criminal, and then Suborning them to Swear against him, and he gives two very remarkable Instances of this.

P. 46, 47. One of which is Mr. *John Catlin*, whom *Meyrick* corrupted by Lyes and Forgery, and false Characters of the Bishop, and Promises of procuring Letters Testimonial for him, from the Chapter of St. *David's*, and very powerful Recommendations to one of the Arch-Deacons of the Diocese of *York*, &c. all which is in full proof, and Depos'd at large well worth the Readers Perusal.

The other of Mr. *Thomas Williams*, who by repeated Depositions upon Oath, has Vindicated the Bishop from those offences, with which upon the importunity and Subornation of *Lucy* and *Griffith* before mention'd, he had falsely charg'd him; they promising to procure him great Friends, and Preferments for so doing. And though he made one Information against the Bishop, upon those inducements, and had actually paid the Fees for a Sequestration, of a Living, and License, to serve a Cure, yet *Lucy* the Promoter denied

deny'd these Instruments to him, and thrust him out of his Office when he came for them, telling him that he should have neither, till he drew up another Information, more expressly to charge the Bishop, which in *Lucy* the Promoters Office he actually did, in the words they Suborn'd and menac'd him to do it in.

This *William's* hath Depos'd from the Powerful Impressions of Contrition and Repentance, and the sense of his Guilt, begging pardon of God and the Bishop, for the Crime these wicked men had engag'd him to commit; The story is well worth Reading at large, and is to be found. p. 47, and
50.

He considers (in proof of the Conspiracy) what applications were made to several Persons (whose Credit is beyond exception) for Suborning them to Swear Crimes against the Bishop, which they had no knowledge of; Of which he gives several very notable examples.

First, Mr. *Solomon Henden*, Vicar of *Lawbadden*, has Depos'd, that he was importun'd, not only by *Lucy* the Promoter, but by *Meyrick*, and also the Commissioners at the Metropolitcal Visitation held in the Diocess of St. *David's*, 1694. to declare things against the Bishop, that would Criminally affect him. And the more effectually to gain him to Swear to the Fictions and Forgeries, they had suggested to him, they told him he should be Recommended to the Favour of the late Arch-Bishop of *Canterbury*, who (as the Bishop of St. *Asaph* assur'd him) would upon his and the Dean of the Arches Recommendation, undoubtedly prefer him. And besides *Jeremiah Griffith*, before mention'd, offer'd him in his Letter by Dr. *Oxenden's* Order, the Prebend of St. *Harmon*, as a Reward for doing it, and the Doctor told him, that if he would do something he propos'd, *Lucy* the Promoter should gratifie him for it. P. 54.

Secondly, Mr. *Thomas Philips* Rector of *Aberedow*, in the County of *Radnor*, was Solicited, and importun'd by the said *Griffith* and others to Joyn in the Information against the Bishop, and Thirdly, Mr. *Henry Rogers*, Vicar of *Llanmavonvaur*, in the County of *Cardigan*, had many Promises made him to come in a Witness against the Bishop of such things, whereof he no ways knew him to be guilty, which particulars are fully prov'd. P. 55.

He says the Conspiracy may be farther prov'd; in that *Lucy*, *Griffith*, and others of the Conspirators, for the preventing the discovery of their Villainous Combination against their Diocesan (and for the better concealing their Wicked Practices, in Suborning of Witnesses by promises, and Threatening to Swear what they would have them) had hindered several Persons from appearing to give Testimony in matters of the greatest Importance in the Bishop's Case,

Case, to the Vindicating of his Lordship's Innocency and Honour, and the Cloathing his Enemies with Infamy and Confusion: To which he annexes an account of the Payment, or Promise of Moneys to *Lucy* the Promoter, as well to reward him for, as to Encourage him in the pursuit of what he had undertaken against the Bishop; prov'd by the Deposition of Mr. *Charles Price*, &c.

Fifthly, and Lastly, In Confirmation of the Conspiracy; He adds, That many of the Bishop's Allegations, as well in proof of his own Innocency, as for invalidating the Testimonies of the Promoters Witnesses, were not only refus'd by the Arch-Bishop of *Canterbury* (contrary to all Laws, and the Common Rules of Justice, and Equity) but rejected by the Delegates too. And though the then Lord Chancellour declar'd in the House of Peers, that when the Bishops cause should come to be heard by the Delegates, he should have Liberty, *Probandi non probata, & allegandi non allegata*. Such was the prejudice (not to say the Injustice of Bishops, *Parish, Moor, Williams, Dr. Wymy and King*,) that they would not admit his Allegations, which could and would have been prov'd upon Oath, by very Credible and Unquestionable Witnesses, and Abundantly Vindicated him from those things whereof he was Accus'd: By all which the Conspiracy is sufficiently Evidenc'd, and the means also by which the Conspirators came to Muster up such a Troop of Witnesses against his Lordship.

To which he adds, that the Conspirators had been Guilty of the Villany of getting the Bishop Accus'd of Crimes, which were acknowledg'd afterwards in effect, to have been meerly Invented and Forged, and of Suborning Witnesses to Swear to the Truth of them whose Depositions they were forc'd to give up, as the Perjuries of Infamous Rascals, Of which there are two very notable Instances.

The First, of one *William Perkins*, who was Suborn'd to Swear such an Act of Fraud, Treachery, Injustice, and Oppression, against the said *Perkins* which if true had justly render'd the Bishop Odious, which *Edmund Meyrick*, and others Endeavour'd to fasten upon the Bishop, and which the Conspirators design'd as one of the most Material Articles on which they combin'd, to get him depriv'd; but the Bishop being so Fortunate as to detect and defeat the whole affair by unquestionable Authorities, the Promoter and his Agents thought fit to drop that Article; The Story at large which is worth considering is to be found.

The Second is more Horrid; they would have represented the Bishop as guilty of Murder, and so brought his life into danger; which proving also to be their own meer Forgeries, they were forc'd

forc'd to drop that Accusation also; upon which our Author makes this Remark, that nothing save the confidence which the Conspirators had of the prepossession, partiality and favour of those before whom the Process was to lye, could have given them the boldness to Calumniate the Bishop with such Horrid crimes, which at the same time, that they accus'd him of, they knew to be false; as having themselves invented them; From whence he concludes that all who are unbiass'd may make a true Judgment of the whole proceedings against the Bishop, which will not be very favourable to the Metropolitan and his partial and unjust Assessors, who appear to be but too deeply engag'd in the Conspiracy.

These things premis'd, this Author applies himself particularly to consider a Scurrilous and virulent Pamphlet call'd the *Summary View*, &c. The Author of which he says, has obtruded on the world a very unfaithful Relation, and has behav'd himself very unlike a Gentleman (tho' a Knight) a Schollar (tho' a Civilian) a Man of Probity and a Christian, tho' pretending to be both. In order to the more fully considering and confuting of this Author of the *Summary View*, and answering all his Calumnies against the Bishop, he Premises these two things. First, that no man ought to be Judg'd Covetous, much less an Extortioner, and Oppressor for being Frugal; and the Bishop having been censur'd on that account by those who were strangers to his Liberalities, he says 'tis now necessary that some of his Charities and Beneficences (which otherwise would have remain'd secret) should be publish'd: And here he gives an account of about 2000 *l.* given in great Sums to his Relations, besides what he has laid out in the Education of several of them, and does Daily allow towards their Maintenance. In the next place about 1200 *l.* laid out in building, for the Church on his Personage and Bishoprick, and lastly about 1400 *l.* bestow'd on Churches and Colleges, and other very Charitable and Publick uses; besides, above 700 *l.* to indigent Schollars and necessitous Gentlemen; in the whole above 5000 *l.* Whence he concludes, that the Bishop is not such a Lover of Money, as the writer of the *Summary View* has endeavour'd to represent him, and that his Frugality and Restrictions of superfluous expences on himself, that he may be the more Liberal and Generous towards others, ought rather to be imitated than He traduced for them; and were it not he says, out of Respect to Religion and Episcopacy, he could easily, make severe Reprisals upon some of our present Bishops, for the Piracies committed by them, on the Reputation of the Bishop of St. David's.

From p.
64, to p.
68.

The Second thing he premises is, a Brief account of the good Opinion deliver'd of the Bishop upon Oath, by persons of far greater Credit, than any of those who Calumniated and Defam'd him; and this Attested and Sworn by near 20 Witnesses.

And these Witnesses for the Bishop, were such who had known and been familiarly and intimately acquainted with him for many years. To which he adds, that the more we enquire into the Probity of those Witnesses that appear'd on the behalf of the Bishop, and compare them with the Scandalous and Infamous Crew, brought to Swear against him, the more we shall find our selves oblig'd to Entertain a more Honourable opinion of his Lordship, then his Adversaries will find it for the Credit of their proceedings that we should.

P. 74. He proceeds then to consider particularly what the Author of the *Summary View*, has advanc'd against the Bishop, and here he finds him reporting the first Deposition he mentions fraudulently and imperfectly; 'tis of one *Peter Lewis*, a Man of a mean Character and Rank, who pretends that the Bishop said to him, that the Bishoprick of *St. David's*, was a poor Bishoprick, and that he would not be Bishop to Ruin himself, &c. To which he replies, *First*, that if the Bishop did say so, there was nothing Criminal in the words,

Secondly, he gives several reasons why it is very improbable; why he should say any such thing to this little Fellow, and *lastly*, that no belief ought to have been given, to any thing that *Peter Lewis*, either said, or Swore, for as much, as it was fully prov'd against him, that he had Perjur'd himself in another particular, which he took upon him to Depose, which indeed by the way, has been the fate of most, if not all the witnesses produc'd against the Bishop.

P. 76.

P. 78. And now he sets himself to examine, that which the Author of the *Summary View*, calls his first head of Accusations against the Bishop, and distributes into Nine several distinct Articles; All which though very minute and pitifull things, and if effectually prov'd (as they were not) could serve only to lessen the Bishop, and make him somewhat reflected on by nice and exact Men, but could no wise render him liable to any Ecclesiastical censure, much less Deprivation, yet he spends Eighty Pages, in setting every one of them in a clear Light, and shewing the Wickedness, Malice and manifest Perjury of the Persons concern'd in charging him with those particulars. Nor says he, did the Metropolitan and they who were his Assessors act like Wise or Just men, by suffering in a Criminal Process, Inquisition to be made after things, which had they been Legally made out could have Justified no Legal Sentence. I cannot but think it worth the while for any Reader, who has leisure to read the whole at large, which will be found Entertaining enough, though

from p. 78
to 159.

though I think it not necessary to insist on these things here (tho possibly I may touch at them afterwards) but Proceed to those things charg'd on the Bishop, which if true, would have Justly expos'd him to Ecclesiastical censure, before a proper Judge ; [Which undoubtedly the Arch-Bishop was not, as may Evidently appear to every one, who will read, and consider, the Postscript to the Proceedings against the Bishop of St. *Asaph*, not long since publish'd.] Now the Crimes laid to the Bishop of St. *David's* charge, of this nature, were these three, *Extorsion*, *Simony*, and *Crimen falsi*. The First, the Author I am now Abridging begins to examine. It being charg'd on the Bishop by the Author of the *Summary View*, &c. That he has demanded and taken, from the Clergy of his Diocese, excessive and Illegal Fees for Ordinations, Collations, Institutions, &c. Now before our Author enters upon the particular accusations, of that kind, laid against his Lordship, he premises several things in General, enough to vindicate the Bishop's innocency, and convince all (who are not under the Power of Prejudice) that nothing but Malice and Revenge, in the Promoter and his Agents, (to say nothing of him, who assum'd the Jurisdictional Power) could from thence promote Articles, or pronounce any Sentence against him ; and here he Premises.

P. 159.

First, that it is allow'd by the Canon, to take Fees even for Ordination, which has Limited the certain Fees, to be taken on that Head.

P. 160,
161.

Secondly, that no Law but Custom, determines the Quantum for any or all Ecclesiastical Instruments, which Custom obtains not universally but is different in different Dioceses.

P. 162,
163.

Thirdly, that the Fees in the Diocese of St. *David's* are less than in some other Dioceses, particularly in the Diocets of *Canterbury*, *Sarum*, and *Normich* ; in the latter of which, many Pounds are demanded for the same Instrument which in the Diocess of St. *David's* comes but to one Mark ; and more particularly, Whereas the Fees for Institution in the Diocess of St. *David's* are 4 *l.* 1 *s.* and 6 *l.* 1 *s.* for Collation, there has been demanded and receiv'd at *Lambeth*, and *Doctors Commons*, above 7 *l.* for an Institution, and above 10 *l.* for a Collation.

P. 164.

Turpe est Doctori cum culpa redurguit ipsum.

Fourthly, that Mr. *Slingsby* the Bishop's Secretary, has Depos'd upon Oath before a Master of Chancery (he not being permitted to do it elsewhere, so unjustly was this Prosecution manag'd) that the account of the Fees before mention'd, were deliver'd to him by *Rob. Lucy* the Promoter himself, when he went to him, by the Bishop's

order, to know the Customary Fees. And that he receiv'd the same Fees, and no other accordingly; For it was the Bishop's express command to him, that he should not receive above those rates: And that the Bishop search'd both the Registries of *Canterbury*, and his own Diocese, for Tables of Fees, but finding none was forc'd to acquiesce in what had been Customarily paid, and which *Lucy* the Promoter told Mr. *Williams* of *Brecknock*, Gent. in the presence of *Thomas Powel* Deputy-Register, were the just Fees, and tho' in the Diocese of *St. David's* the Fees for Collation were but 40 s. above Institution Fees; yet Mr. *Charles Price* has expressly Depos'd that in the Diocesses of *Worcester*, *Winchester*, and *Oxen*, the Fees taken for Collations were double to Institution Fees, and that the said Mr. *Price* having (during the vacancy of the Bishoprick of *St. David's*) been Entitled to the Vicarage of *Boughbrood* in that Diocese, paid almost twice as much to the Archbishop's Officers for his Institution Fees, then was paid for Institution Fees at *Abergwilly*; nay *Thomas Powel* one of the Promoter's chief Witnesses (and who had been Secretary to the Bishop, after Mr. *Slingsby*) hath Depos'd on Oath, that the said Bishop in a Letter to him Decem. 22. 1688. had order'd him to receive 3 l. 16 s. for every Institution, and 5 l. 16 s. for every Collation, which was less than according to Custom his Lordship might have demanded; and *Robert Douglass*, and *Wilfray Pycmont*, Gent. have both Sworn to the Bishop's taking these Customary Fees. And Mr. *Price* has farther Depos'd that the Deputy-Register, had not only told him, that there were 40 s. more due for a Collation than an Institution, but that the Bishop in his taking of Fees, kept constantly to the Rules that have been mention'd, and that he never exceeded the Rates before mention'd.

Fifthly, He adds, that the Bishop upon complaints made to him of the Arbitrary Exactions of Fees by *Rob. Lucy* the pretended Register (who is now the Promoter) and other Officers of the Court of *Brecknock*, for probats of *Will's* and of Letters Administration, &c. took care to have the Table of Fees set up in the Registry and Consistory Court there, that none might demand, or (through Ignorance,) pay more than what the Law and Ancient Custom of that Place Authoris'd: So little was he a Friend or Favourer of Extortion, unjustly charg'd upon him. And besides he not only gave Monitions to several of the most guilty, and particularly to *Rob. Lucy*, (since promoter) but also actually suspended the said *Lucy's* Deputy; And here he adds a few Instances out of many which have been all actually prov'd of extravagant and illegally extorted Fees.

To which, he adds the History at large, of the two Instances of

of Bribery before mention'd, in the Character of *Lucy* the Promoter.

Sixthly, He premises that the Bishop of *St. David's* has forborn in diverse cases to take what was legally his due, and never sued any who were in arrear to him for procurations (as several are to the value of 50 *l.* Which together with the Foregoing premises, may abundantly convince all who are not obstinately prejudg'd, that the Bishop is neither the Covetous Wretch, nor the Henious Extortioner he has been accus'd to be.

The Former is prov'd by Mr. *Henry Powel*, Vicar of *Llangnoddock*, who hath depos'd upon Oath that the Bishop having bestow'd several Ecclesiastical preferments and benefices *Gratis* upon him, neither did nor would receive so much as the Fees for some of the Collations; And by the confession of the Bishops most Malicious Enemies, *Edmund Meyrick*, the Bishop forgave to one *Howel*, the Summ of 3. *l.* that was legally due to him, *Meyrick* having represented *Howel's* circumstances, the Bishop with great Chearfullness, and no less Compassion return'd 3. *l.* of the Money *Meyrick* had given or Sent the Bishop for fees due to him, to be given back to *Howel*; And *Solomon Henden*, Vicar of *Llawhaden* has Sworn that upon his being ordain'd Deacon by the Bishop of *St. David's*, he had his Orders given him *Gratis*, and the like is also depos'd by *John Gwyn*, *Lewis Goze*, &c. And then as to the Bishop's forbearing to Prosecute any that are in arrear to him for Fees, we need only Look into his Book of Procurations for proof of it; For as it thereby appears that there is a great Summ owing to him, so it is most certain that he never so much as cited, much less compell'd any one Person to pay what he ow'd him of that kind. P. 174-

Seventhly, and lastly, he premises that upon the First Commencement of the process the Bishop freely and frankly offered in Writing; that if more Fees of any kind had been receiv'd than ought to have been paid; he would readily restore it to those from whom it had been taken; which is a plain Argument (and might have satisfied even his worst Enemies) that if any greater Fees had been claim'd than should, it was either through Ignorance, or misinformation the Register, and his Brother, whom he consulted, having inform'd him, or they whom he Intrusted to receive them, might have taken more than they were order'd to ask, or ever accounted to him for; I say, these appear to be the true Reasons and not that he Acted out of Covetousness, or any Oppressive design.

Having premis'd these things and expos'd the folly and knavery, From p. the little Wit, and great Malice, (as he expresses it, of the Writer 176, to p. of the *Summary View*, in what he had said by way of Preliminary, 186. to his Proofs of the Bishop's taking undue fees (Where the

the Reader may find several things worth his Perusal.) He proceeds to consider the detail of the Bishop's Exaction of undue fees, which the *Summary View* distributes into three several kinds; of which the First is call'd, Excessive Fees, taken at Ordinations. For the Proof of which the *View* produces, three Witnesses. (1) *Thomas Powel* the Bishop's Secretary deposeth, that at two Ordinations in the Year 1688. He did receive from every one who was Ordain'd 10 s. for letters of Orders, and that he did account with the Bishop for the said Fees.

(2) *Robert Douglass*, (Swears that during the time he liv'd with the Bishop (which was a Year and half) the Bishop took 10 s. for all letters of Orders.

(3) *Wylfray Piemont*, who was a Servant of the Bishop's, for Six Years together Deposeth, that for that whole time he receiv'd for letters of Orders, Ten Shillings; To all which the Author, I am now abridging has this to say.

First, In General, that he remits the Reader to the Foregoing Sheets for what he had said there for discrediting the Testimony of *Thomas Powel*, where he will find it made sufficiently appear that he is one to whom no faith ought to have been given in any thing he Swore against the Bishop [The Reader may find the account of him, Where many things are said concerning his Malice, Perjury, and several other Enormous Crimes.]

Secondly, that the Writer of the *View* is very unjust in citing out of large Depositions of Witnesses, only what he conceives may serve to defame the Bishop, when at the same time he forbears to mention those things Sworn to, in the same Depositions, which do directly Vindicate him from those things which were alledged against him.

For as both *Douglass*, and *Pyemont* gave upon Oath, that the Bishop was free from Simony and Extortion, so each of them Swore that he never suffer'd more to be demanded or taken as Fees for Letters of Orders, or Instruments of any kind, than what either *Rob. Lucy* the Promoter or Mr. *Thomas*, Son to the late Bishop *Thomas*, inform'd and declar'd to have been Customarily taken and by usage due; Thus in General; But more particularly he observes.

First, That the Bishop was guilty of no fault in taken 10 s. for Letters of Orders, which was all that was Sworn against him; For the Admitting any into Orders, and the giving Letters declarative of their being Admitted into Orders are two very different and distinct things, and though the Canon forbiddeth the taking

taking any sort of Fee by reason of the former, yet it alloweth a Fee of 10 s. to be taken for the latter, so that here is no manner of Crime prov'd against, or indeed charg'd upon the Bishop for he not only did nothing against any Law, (And where there is no Law, there is no Transgression) but his Action was also Justified by the Express Approbation of the Canon; but this is not all. Canon 135

Secondly, He replies that what all the Witnesses the Author of the *Summary View* produceth, all by the name of Fees for Letters of Orders, he through an infidelity sufficient to disgrace any man that pretendeth to Learning and much more to blast the Reputation of one who undertakes to Write history, has alter'd into the stile of Fees for Ordinations, intending no doubt to have it beleiv'd that the Bishop took Fees, on account of the latter, which not any of the Witnesses say, which our Author remarks as an Evident effect of his Malice as he is the Bishops Enemy, and of his insincerity p. 191, as he is a writer; of both which his *Summary View* furnishes many 192. instances.

Thirdly, he observes that the Writer of the *View* does with the utmost fraud imaginable, so word the Bishop of St. David's allowing those Fees to be taken, as if he would lead his Readers into a belief that his Lordship was the only Prelate in *England* who suffer'd the said Fees to be demanded and receiv'd. Whereas all the Bishop of *England*, do no less allow the taking such Fees, then the Bishop of St. David's did, so that he has as much Calumniated all the Bishop's of *England* as him, since they must be accounted as Criminal as he is said to have been, or he must be allow'd as innocent as they. For it has not only been in Proof, that the Bishops of St. David's Predecessors in that see, have suffered such Fees, to be taken for Letters of Orders, (and some of them in Scandalous and Illegal measures) but it is too notoriously known to admit of a denial, that Fees for Letters of Orders are warranted as well as suffered to be taken, by every Bishop of the Church of *England*, and even by his Grace of *Canterbury* himself. To which our Author adds that, whereas this Writer of the *View*, hop'd to aggravate the Bishop's guilt by telling us, that it is proper to observe that the Bishop continued to receive the same Fees, at an Ordination in *June 1696*, which was after the Promoters Articles were given in, that from thence he will draw a contrary inference, and conclude the Bishop Innocent. For as his Lordship's continuing to receive them so long after the Commencement of the Process, does Demonstratively assure us, that he thought it Lawful to receive them, so enough has been said to Justifie that neither He, nor they, with whom he advis'd about that matter, were therein mistaken. And the Metropolitans having
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p. 195,
196.

made that, not only a Crime in him, but such a Crime as to make it as I have heard, one of the Grounds of the Sentence which he assum'd an Authority of pronouncing against him, doth instead of making the said Bishop guilty, only declare that some People were very Ignorant, as well, as Malicious, Unrighteous and Revengeful, which is another Just reflection upon the whole Proceedings against the Bishop of St. David's

The Second kind of Excessive Fees, charg'd on the Bishop is for Collations, and the proof of it, offer'd by the Writer of the *View*, is this, that the Promoter exhibited Copies of two Tables of Fees, Subscrib'd by the Deputy Register, and two publick Notories, (which many years hung up in the Registry) in which the Fees for a Collation are said to be only 20*s.* and in the other, to be no more than 18*s.* 8*d.* To which our Author has these two Answers to make.

First, that admitting these Copies of the two Tables of Fees, to be Authentick and Genuine, yet instead of proving any thing against the Bishop, they only serve to demonstrate the Promoter (to be an egregious Villain, and that upon a double account.

First, because when this *Lucy* was Secretary to his Father, he receiv'd far above the propotion mention'd in the Copies of those Tables, as has been prov'd above.

Secondly, because this very *Lucy* (the Promoter) assur'd the Bishop, that the Fees for Collations were 6*l.* 1*s.* and his Predecessors always receiv'd, and the Clergy Anciently and Customarily paid so much, so that if the Bishop took more then he ought to have done, it was through *Lucy's* having Treacherously misinform'd him, and Villainously misled him; which has been also prov'd in the foregoing Pages, Only he says, he cannot here avoid the making this Reflection (though possibly it may by some, be thought severe) that there needs no more to disgrace the whole Judicial proceedings against the Bishop of St. David's, than that so Scandalous, and Impudent a Miscreant, and so Treacherous and Notorious a Villain, as *Lucy* appears to be (by what has been said and prov'd of him) should have been selected to be the Promoter in that Cause.

Secondly, He Answers, that the Copies of the two Tables of Fees exhibited by the Promoter, and said to be due to the Bishop for Collations; are no such thing as is pretended, nor do they in the least relate to what the Bishop has a right to take for Collations, but only the Chancellour and Register, who formerly had Fees out of almost every Ecclesiastical Instrument, as well as the Bishop: And this the Promoter, and the Writer of the *View* could not but know, and is therefore a fresh instance of
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the Dishonesty of both: For the Ecclesiastical Constitutions of 1597, to which the 135th Canon refers, do limit the Bishop's Fees in every Diocess, only by Custom and Usage. And that long and constant Usage had warranted the receiving of 6*l.* 1*s.* for Collations in the Diocess of *St David's*, has been already sufficiently prov'd; from whence he concludes that there was no Just Ground of proceeding against the Bishop on this account, *viz.* Collation-fees, and consequently his being Prosecuted and Sentenc'd, as he was the effect of Pique, Malice, and Wicked Partiality.

p. 220.

To which he adds, that if the Bishop had been guilty of this Crime laid to his charge; yet his Deprivation on that account was very Unrighteous, and Unjust, and a direct Trespas against the 135th. Canon also. For all that the Canon allows is, that the Offender be suspended from his Office for the space of Six Months; so that the Metropolitan must needs Act purely out of Spleen and Malice, (very unfit qualities in a Judge,) as well as Partiality, since he only suspended the Bishop of *St. Agaph* for Six Months, who had been fully prov'd Guilty of much greater Crimes, and depriv'd the Bishop of *St. David's*, who tho' never so much accus'd, had nothing Criminal prov'd against him. To which he yet adds, that the 135th. Canon says, that those Fees shall be held for Lawfull, which the Arch-Bishop for the time being, shall under his Hand approve; And that he takes his Grace's constant Practice, in his Arch-Bishoprick, to be not only an Example set to his Com-provincials, what they may Lawfully do, but to be as Authentick for their imitation, as if approv'd under his hand, especially since every Arch-Bishop is as much restrain'd by the Canons, and Constitutions of the Church of *England*, as the meanest Bishop of the Province is; And that the Fees for Collations have been, and still are, as great (if not greater,) in the Diocess of *Canterbury*, as they were in the Bishoprick of *St. David's*, is not only Notoriously known, but it is in proof, and was particularly confirm'd by the Deposition of Mr. *Charles Price*; Nay, they were more increas'd since Bishop *Land's* time, in the Diocess of *Canterbury*, then in the Bishoprick of *St. David's*, since that great Prolate sat in that See. From whence we may see the Justice, Equity, and Prudence too of the Great Judge of the Bishop of *St. David's*; And to do the Bishop of *St. David's* right, 'twas he that caus'd those very Tables of Fees to be search'd out, and Copies of them to be hung up in the Registry and Consistorial Court at *Brecknock*, because of the Complaints made to him of the exactions of the Chancellor, Register, &c. For Probater, Administrations, &c. (and for which he had admonish'd *Lacy* the Promoter, and suspended his Deputy,) and surely none can Imagine the

p. 221.

p. 202.

the Bishop so prodigiously silly, as to cause the hanging up the said Copies in the Court, had he been Conscious of taking more than his due, for the time past, or ever intended so to do, for the time to come: But tho' it has been made appear already, that these Copies do not at all affect the Bishop, yet he adds *Ex abundantia*, as a farther proof of the same, that the word *Judici* annex'd; to every *Quota*, and particular Sum, mention'd in those Tables of Fees, doth plainly declare them to refer to such Fees as are payable in the Consistorial Court, and not to the Bishop, and besides we may observe, that the Fees there for Letters of Deacons Orders, are only 3 s. 4 d. and Letters of Priests Orders 6 s. 8 d. Whereas in both these Cases, the Canon allows the Fees payable to the Bishop to be 10 s. from all which it appears, that the Bishop is entirely Innocent, and the Writer of the *View* has advanc'd nothing in this Head, but either gross Equivocation, or down-right Sophistry; Here also he annexes an account how the Promoter, and others come first to Conspire against the Bishop, which the Reader may find in the *Large Review*.

P. 203.
P. 206.

He proceeds to the Examination of what the Author of the *View*, hath further advanc'd in proof of the Bishop's not confining himself to the taking of 6 l. 1 s. as Fees for every Collation, which is, that *John Barnet* hath Sworn that he paid 9 l. 1 s. or 2 s. more or less for Collation Fees, &c. To which he answers.

First, that the Writer of the *View* with his wonted malice, as well as insincerity, has reported this Deposition of *Barnet's* in so Fraudulent and Equivocal a manner, as if he would have the Reader believe that the foremention'd Sum had been paid to the Bishop himself, whereas the words of the Deposition are, that he paid it to Mr. *Slingsby*, the Bishop's then Secretary; so that if *Barnet* had Sworn true, it would only fasten Extortion on Mr. *Slingsby*, and not on the Bishop, since *Slingsby* has positively Sworn, that he never accounted to the Bishop, for more receiv'd of *Barnet* for Collation-Fees then 6 l. 1 s. But then,

Secondly, Mr. *Slingsby* has directly contradicted *Barnet* in this matter, and hath Depos'd upon Oath before a Master in Chancery, that the whole which he receiv'd of the said *Barnet*, for all the Instruments, was only 8 l. 1 s. And upon his first hearing of himself Accus'd for the taking 9 l. he offer'd to have Sworn before the Arch-Bishop in *Lambeth-Hall*, that he had neither demanded nor receiv'd more than 8 l. 1 s. But his Grace did not think fit at that time, either to admit his Deposition, nor so much as allow him to be examin'd in relation to that affair; For tho' by the Rules of Justice he ought to have done it, yet these were to be neglected and de-
parted

parted from, in Subserviency to Pique and Revenge. And all the measures of Equity and Righteousness were rather to be slighted and broken through, than that a Witness against the Bishop of St. David's; should have been so affronted in his Grace's Palace, and presence, as to have it prov'd upon him, that he had perjur'd himself.

p. 207.

Thirdly, He says, that it was not for the Fees of a Collation alone that the said Sum was receiv'd, but it was for Subscription, Sequestration, Relaxation, and a License to Preach, as well as for Collation; and that *Barnet* paid no more for all these, than 8*l.* 1*s.* was so far from being an exaction of more from him than was Legally due, that he was favour'd in having so little demanded and taken; So that instead of the Bishop's being Criminally affected by any thing in *Barnet's* Deposition, we have a farther discovery of the Unequal and unaccountable proceeding of the Metropolitan against his Lordship, in allowing what the said *Barnet* Swore to be of any significance, to the proving him Guilty of having exacted excessive Fees, and also the Malice of the Author of the *View*, in defaming the Bishop in Print, upon so false, as well as so impertinent an Allegation: And this may sufficiently serve, in Answer to *John Barnet's* Deposition.

p. 208.

The next Instance Alledg'd by the Author of the *View*, in proof of the Bishop's taken excessive Fees for Collations is, that he had done so of one *John Lloyd*; To which that Writer says, by way of Preface, that as it would be endless to run through all the particular Instances of the Bishop's Exactions of that kind, so it is needless, considering how many are Crouded into Mr. *Powell's* last invokated deposition; on which our Author makes these two Reflections. First, He observes with how much artificial cunning the Writer of the *View* seeks to cover a Suborn'd Deposition, under the stile of an invokated one; for as *Powel* courted *Lucy* to Bribe him, so *Lucy* hir'd *Powel* to become a Witness against the Bishop, (*i. e.*) in this Gentleman's Modern Phrase, they mutually invokated one another. Secondly, That no man ought to believe this Writer, when he intimates that he could have brought more Instances against the Bishop if he would, considering he has shew'd so much Rancour, and Malice against the Bishop thro' his whole Pamphlet which he has fill'd, not only with Trivial, and Insignificant, but apparently false, and forged Stories, and would have them pass for proofs of the Articles Exhibited against the Bishop of St. David's, by which Title he styles his Book.

Having said this, He Addresses himself to the Examination of what the *View* says about this *John Lloyd*; The Substance of which

p. 210.

is this, that for the Fees of a Collation to a Living, and a Horse not worth above 40*s*. *Lloyd* gave the Bishop a Bond of 13 *l*. or 14 *l*. To which our Author replies.

First, That all he Alleges about *Lloyd*, is meerly on the Hear-say of others, and not upon the Deposition of *Lloyd* himself, and the Person upon whose Deposition this Story is grounded, is the Famous *Edmond Meyrick*, of whom enough has been said before, for shewing that no Credit ought to be given to what either he says, or Swears; whose Malice against the Bishop, as well as his Veracity, will evidently appear here in this Article, by his Swearing so much at Random, that the Horse was worth no more than 40*s*. when the Horse was really sold by *Lloyd* for Four Pound after a Journey on him, from *Cambridgeshire*, to *Cardiganshire*: And besides two Witnesses Swear to the worth of the Horse, one, that 5 *l*. was offer'd for him a short time before the Bishop's sold him to *Lloyd*, and the other, that if the Horse had been his, he would not have sold him for 4 *l*. 10*s*.

p. 211. *Secondly*, He replies, that the mentioning of the Bond by the Writer of the *View*, is altogether impertinent, unless it be for the discovering of *Meyrick's* Malice, and his own Folly, seeing had the Bond been for 20 *l*. yea for an 100 *l*. no guilt could from thence be Lodg'd on the Bishop, unless it had been Specified therein, or could be prov'd that it was only for Fees for a Collation, that the said Bond had been given; And besides it has been depos'd by two Witnesses, that 3 *l*. of the foremention'd Sum had been lent by the Bishop to *Lloyd*, and 4 *l*. more was for the Horse's Price.

p. 212. *Thirdly*, He replies, that the remaining 6 *l*. 5*s*. (the whole Sum being 13 *l*. 5*s*. and not 14 *l*. 5*s*. as *Meyrick* and the Author of the *View* would insinuate,) which *Lloyd* gave Bond for, was not only for Fees for a Collation, but also for a Sequestration, Relaxation, Dispensation, and a License to Preach; wherein as *Lloyd* instead of having been illegally exacted upon, was considerably favour'd by the Bishop, thro' his not demanding more, so it may not be amiss farther to observe, that the same Bond having been taken in the name of *Thomas Powel* (and not in the Bishop's own,) the said *Powel* never paid nor accounted to his Lordship for it; and this is the rather mention'd, because as it Furnishes us with a fresh Evidence, of the Fraud, and Vilany, of that brib'd, (or in the Modern Phrase invocated,) Witness of the Promoter; so it does likewise serve to vindicate the Bishop from being that Coverous Person his Enemies have endeavour'd to represent him to be.

p. 213. Our Author makes yet a further Reply to this Article, but what has been already said on it, may suffice for this Epitome. He pro-
ceeds

ceeds to what the Writer of the *View* farther accuses the Bishop of, in his having rak'd together vast Sums of unjust gain, by the taking of Exorbitant, and Illegal Fees for Collations, which he says, may in some Measure be conceiv'd from what *Walter Watkins* answers to an Interrogatory, viz. That the Bishop usually remov'd several Persons to several Livings upon the Vancancy of the First; to which our Author has several things to say; One is, That the Writer of the *View* has very Defectively, and Treacherously given us an account of *Watkins's* Deposition. For whereas, by his Relation of it, the Reader might reckon that *Watkins* had Sworn, that the Bishop usually remov'd several Persons to several Livings upon the Vacancy of the First, in order to his Raking together vast Sums of unjust gain, (and without that, there would be nothing Criminal in it.)

Yet *Watkins* Swore no such thing, but on the contrary, as declar'd expressly on Oath, that he knew nothing of that, (*i. e.*) Whether the Bishop's making these removes, was because of the Fees for Collations, which would unavoidably come on that account.

The next thing our Author observes is, that the whole Allegation is wholly Romantick, as well as Impertinent, and instead of Criminally affecting the Bishop, does only discover the Ignorance, and Malice of the Writer of the *View*; for which he gives this undeniable reason, Namely, that it never was, nor could be in the Bishop's power to remove any person from one Living to another, except either on the Desire, or upon the Consent of that Person: And the Bishop is positive that he never remov'd any, unless at the instance of the Persons, who for conveniency or advantage desir'd it; And therefore he adds, that had not this Writer forfeited his Judgment, as well as Conscience, and renounc'd good Sense, as well as Probity, he would never have made use of this, as an Argument for defaming the Bishop. p. 217.

The Writer of the *View* goes on to charge the Bishop on this Head, by giving one instance of it, viz. That upon his Collating Mr. *Phillips* to *Aberedom*, (which by the way, the Bishop did upon the Intercession of Sir *Roland Gwyn*, who has since rewarded him, by doing him all the ill Offices he could,) he made the said *Phillips* resign two Benefices which he was then possess'd of; To which our Author says, that *Aberedom* being the very best Rectory in the Bishop's Collation, the Bishop did but his duty in this, and ought rather to be commended, than reproach'd for it; And that the said *Phillips* has depos'd on Oath, to his own voluntary resigning of the two Livings, one of which was (upon the Intercession

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of the fore-mention'd gratefull Sir Row. Gwyn,) confer'd upon *Jeremiah Griffith* (who in requital thereof, and of many other Offices of Friendship, has declar'd himself to be his Lordship's most Malicious and Revengefull Enemy,) and the other, without any Intercession upon a Person who had no Benefice, but Judg'd every way qualified for the having one.

To all which he adds, that the said *Philips*, Rector of *Aberedrom*, has in a deposition of his own, given a Fair and Just Character of the Bishop, and therefore could not Harbour any ill thoughts of the Bishop on this Score; But this still shews what an odd
 p. 118. man, to say no worse, this Writer of the *Vine* is.

Who goes on to charge the Bishop for not regarding the small value of the Preferments he bestow'd, and lessening his Fees accordingly, which he proves by the Testimony of one *Edward Gwyn*, that for his Instruments and Collation to a Prebend of about 40*s.* *per Annum*, reserv'd Rent he paid 5*l.* 11*s.* And for Instruments, and Collation to a Prebend of about 7 Nobles *per Annum*, he paid 3*l.* and that the Bishop said, he therein us'd the said *Gwyn* kindly. Now tho' this appears at first sight, to every man commonly skill'd in these matters, to be a very senseless Accusation, and to have nothing Criminal in it, and so to need no answer, yet our Author says several things to it, which I shall briefly recapitulate.

First, that according to his usual method of curtailing Depositions, the Writer of the *Vine* has again Treacherously omitted a Principal part of this. For this *Gwyn* has Sworn to the Character of the Bishop; and particularly, that he believes the Bishop would not be Guilty of Simony on any account whatsoever, yea moreover he Swears, that the Bishop had Freely and Frankly bestow'd some Preferments on him the said *Gwyn*, without so much as proposing to have any Reward, or acknowledgment, either directly, or indirectly, and that he had reason to believe his Lordship had done so by others, on whom he
 p. 219. he conferr'd Preferments.

Secondly, That the Writer of the *Vine* in this Allegation, betrays his Egregious Ignorance, as well as shews his wonted hatred and Malice, in that the measure in which Fees are to be paid, is not ordain'd to be in proportion to the value of the Benefices, to which Collations and Institutions are Granted, but in consideration of such and such Instruments, be the value of the Livings more or less, and were it otherwise, it would be too much in the Powers of Bishops to be as Arbitrary as they pleas'd in their demands and Exactions of
 p. 220. that kind.

Thirdly,

Thirdly, That the Author of the *View* makes himself Ridiculous, by endeavouring to prove the Bishop guilty of exacting Illegal and excessive Fees, by instances which prove the Bishop that took lesser Fees than he was entituled to. For in the former instance, as instead of 6 *l.* 1 *s.* the customary Fees, the Bishop took but 5 *l.* 11 *s.* So in the latter, instead of 6 *l.* 1 *s.* the due Fees, the Bishop took but 3 *l.* So that the Bishop might both with great Modesty and Justice, tell *Gwyn* (as the Writer of the *View* reports it) that he had us'd him very kindly ; our Author adds also Fourthly, and Fifthly, two other particulars of this Writer's dissingenuity and falsehood, to impose on, and mislead his Reader, the last of which is, that he has taken notice only of the reserv'd Rents of those Prebends, but has said nothing of the value of the Corps of the Prebent of *Boughbrood*, and of the value as well as Privilege of having a Curial Prebend in the Church of St. *David's*, both which render those Preferments very desirable, and of advantage to those who have them, how small and contemptible soever the Reserv'd Rents seem to be. To all which he adds, that however enriching this unfaithful relation of matters of Fact, may have prov'd to this Mercenary Writer, or how greatful it may have been to the Metropolitane, because of its agreeing so well with the manner of his Grace's Jurisdicitive proceedings, yet it must needs greatly provoke, as well as offend those who expected a true Narrative of what had been in proof against, and for the Bishop of St. *David's*, but instead thereof, have Lies and Falsehoods obtruded upon them.

p. 224

The *View* gives another Instance on this head, of not regarding small Livings, and, *viz.* That the Bishop Collated *Jeremiah Griffith* to a Vicarage, and obliged him to quit a Beneficial Prebend, and take another without a Corps, (for which he paid the usual Collation Fees) otherwise the Bishop would not give him the Vicarage.

Now though the foregoing Answer may as well serve for this Instance as the former, yet our Author has several fresh things to say to this.

First, He begs the Reader to be mindfull, that the Person that Swears to all this, is *Jeremiah Griffith*, whose Character has been given before, and who appears to be one who ought not to be believ'd in any thing he either Says, or Swears, as being not only the Bishop's avow'd and malicious Enemy, but also on many other accounts, too Infamous to have credit given him against any Person, or in any Court whatsoever.

Secondly, Whereas this *Griffith* has Sworn, that the Bishop oblig'd him to take a Collation, &c. He hath therein Sworn falsely ; for as it was not in the Bishop's power, either to make him resign one Prebend or force him to accept of a Collation to another, without his

his own Consent, so *Griffith* does too well understand what is for his advantage to have ever done it, had not he known how gainful it would prove to him; nor will any Man be surpriz'd, says our Author, at *Griffith's* having Perjur'd himself in that particular, if they do but observe with what impudence he hath Sworn to another most notorious Falshood in the same Deposition, *viz.* That he was so far from looking upon *Lucy* the Promoter to be the Bishop's Enemy, that he doth believe he has been one of his best Friends, and that he had never heard him use any Scurrilous Language towards the Bishop, as he can Remember, whereas not only *Lucy's* enmity against the Bishop had been openly declar'd, and was publickly known, but his having also spoken all the ill things imaginable of his Lordship, by which he could hope to render him Infamous, hath been fully prov'd by the Testimony and Oath of many Witnesses of unquestionable Reputation.

Thirdly, He says the Bishop bestow'd the Vicarage on *Griffith* upon his earnest and importunate desire and Solicitation, and *Griffith* resign'd a Prebend remote from the Vicarage for one in that same Parish. And if *Griffith* would not be satisfied without the Vicarage, he ought to be contented with the Prebend belonging to the same place, where the said Vicarage lay; nor can any other reason be assign'd (says our Author) for *Griffith's* complaining of the Bishop's making him resign one Benefice, when he bestow'd two upon him, unless it be that his Lordship would not allow him to Monopolize too many considerable Preferments, which as he was Covetous enough to desire and aim at, so he is sufficiently Luxurious to waste Riotously on himself alone, what many would be thankful to have divided among them as a competent Maintenance; and considering that he enjoy'd besides the Prebend of *Boughbrood*, the Rectory of *Dissurb*, and the Free-School of *Brychnook*, &c. It was rather a fault in the Bishop to bestow another Living on him, without his resigning more of his Preferments than that one Prebend, and yet the parting with it appears to be one great cause of his Malice against the Bishop.

Fourthly, He says, there's reason to believe that the Prebend of *Llanfanchread* is worth much more *per Annum*, than *Griffith* hath Sworn, since the great Tithes are not annex'd to the Vicarage, nor otherwise impropriated, it cannot be conceiv'd, but they must belong to, and be the Corps of the Prebend, which however it be, the Bishop had then (and still has) grounds to believe they are so; so that nothing appears by this Instance, but the impertinency and folly of the Author of the *View*, which we often meet with, and a new detection of the said *Griffith*. The Author of the *View* is pleas'd to say that he cannot finish this head, till he has acquainted the Reader with two more strange

strange Extortions of his Lordship; the First of which in short is this, That one *David Lewis* deposeth that he paid Mr. *Powel* 40 s. for the Bishop's use for a Dispensation for Non-Residence.— To which our Author says,

First, That *David Lewis* ought not to be credited in what he hath here Depos'd, in that he Swore his having paid 13 s. 4 d. for procurations at the Triennial Visitation, when in truth he paid not one Penny to the Bishop, or for his use; For though he had 13 s. 4 d. Extorted from him, yet it is fit the Reader should know, that it was *Lucy* the Promoter who cheated him of that Money, under the pretence of making him pay for Exhibition-Fees: but *Lucy* by being engag'd in so meritorious a Service as to become Promoter in the Process against the Bishop, was not only to have his Crimes conniv'd at, but the Bishop must likewise bear the reproach and suffer the punishment of his Villanies.

Secondly. It appears by *Thomas Powel's* Deposition, that he accounted with the Bishop but for 13 s. 4 d. the true Fees for a Dispensation, and therefore if *Lewis* paid more, or (as he Swears) 40 s. for the same to *Powel*, 'twas *Powel* cheated him, and not the Bishop; But our Author says, tho' it may be indifferent to him whether the Perjury lies at *Lewis's* door, or the Extortion at *Powel's* (they being both Brethren in Iniquity, yet he declares he believes that in this case *Lewis* Swore falsely, because *Lewis* had also Instruments of Sequestration and Relaxation, and paid the 40 s. for them all, which was the due Fee, however be it between them, the Bishop is not concern'd since he receiv'd but 13 s. 4 d. for his dispensation,

The next strange Extortion the Writer of the *View* makes such a pother about, is a wonderful one indeed, in short this. The Bishop did not think fit to unite two Churches that were distinct, but made the Clerk pay for two Institutions as has been done before (of which he gives several Instances, three at least) and 13 s. 4 d. for an Instrument of Union: Now this, I confess is a very strange sort of a Crime: For our Author shews at large that the Bishop could not, and ought not to do any otherwise then he did, and took less Fees of the Clerk than he might have legally demanded; He shews also at large how the Law stands as to Unions, Consolidations, and Pluralities, and that the Bishop took but 13 s. 4 d. for that Instrument, for which in the Diocess of *Norwich*, the Clerk pays 3, 4, or 5 l. I shall refer the Reader who would have a full and Satisfactory account of this matter to our Author who treats of it.

Upon the whole he presumes to say, that admitting all that was Depos'd against the Bishop of St. *David's* was true (which we have shew'd nothing was) yet that would not have Justified the Arch-Bi-

shop's Sentence of Deprivation; And therefore the depriving of him on such trivial Accusations would make an unbiass'd man suspect that though these offences were assign'd as the cause of it, yet the true reason was, his so often dissenting from, and opposing his Grace, and some others call'd Spiritual Lords in the House of Peers, and therefore 'twas resolv'd to have the Bishop of St. David's Depos'd from his Episcopal Dignity, and consequently Degraded from his Baronage, that so he might be render'd incapable of contradicting them in Parliamentary debates, and dissenting from them by his Vote.

Manet alia mente repositum Judicium.

And a little after he takes notice of a very remarkable saying of a Temporal Lord, that if it were not for the Bishop's (*i. e.* the Majority of them) they should be able to save the Church of *England*.

P. 276.

The next thing the Author of the *View* Slanders the Bishop for is, his having oppress'd the Clergy in taking excessive Procurations, of which he pretends to give three Instances, which he introduces with the Deposition of one *William Jones*, a discarded Revengeful Servant of the Bishop's, who is prov'd to have Sworn contradictorily (in another case) to one and the same thing, and therefore our Author says, ought to be look'd on as a Perjur'd wretch, to whom no Faith should be given in any thing, that he Swears; and yet the Writer of the *View* hath both Fraudulently reported, and injuriously wrested and perverted this *Jones's* Deposition. The purport of which is this, that the Bishop deliver'd to him a Book of Procurations to Transcribe, in which there were several Alterations of Figures; Now the Writer of the *View* would fain persuade his Readers that the Alterations were greater, whereas *Jones* Swears no such thing, but on the contrary, that he could not tell whether the Alterations were greater, or lesser, tho' it may easily be Collected, that they were lesser, because the aforesaid Book, being a Copy of that which the Promoter gave to the Bishop, at his Primary Visitation, for his Instruction in the Procurations he was then to receive, and the Procurations at the Triennial Visitation were only to be half so much, it was necessary and very prudent Conduct in his Lordship to have an Alteration made in the Figures, for the preventing the taking more than was due.

P. 449.

Having dispatch'd this introductory Deposition of *Jones's*, our Author examines the three pretended instances of excessive Procurations, of which the first is. that *John Barnet* Swears that Mr. *Jones*, at the Visitation 1691, demanding of him 11 s. for his Vicarage of *Hay*, he told the Bishop that but 5 s. 6 d. were his due, but the Bishop told him he must pay whole Procurations, since it was his Primary Visitation of *Barnet* as Vicar of *Hay*. To which our Author says in General, that

that he has already in the foregoing papers disabled *Barnet* from being a Credible Witness in any thing whatsoever, because he Perjur'd himself in a former Deposition, But more particularly,

First, That upon a perusal of the 137th. Canon, our Author does not see, but that the Bishop at the Triennial Visitation had a right to demand full Procurations of every one admitted to a new Living, notwithstanding the same person had, at the former Visitation, paid full Procurations for some other Living, at least the Words of the Canon are so doubtfully express'd, that any other Bishop as well as he of *St. David's* might have put such a Construction upon it, without being censur'd for it: And the Bishop acted so fairly as to Read that Canon upon which he grounded his demand, to the Clergy, and before he took the full Procurations he had the consent and approbation of the Wisest, as well as of the most of his Clergy.

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252.

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Secondly, That it ought to be reckon'd an undeniable Evidence that his Lordship was far from designing to Oppress his Clergy by taking excessive Procurations, in that it appears there is above 50 *l.* owing to him for those Dues, and yet he never sued, nor so much as cited any Person into the Court for the payment of them, so that he who could dispense with the loss of what was legally due to him, would certainly never be an Oppressor of any; it being as impossible that the merciful should be unjust, as it is to reconcile Contradictions; and though it has been charg'd on the Bishop, that he had in those ways Rak'd together vast Sums of unjust Gain, yet our Author says, that upon the best Enquiry, he has been able to make into his whole Behaviour and Conduct in these and the like affairs, he may truly affirm that the Bishop did not become so rich, as he is said to be, by any oppressive way of getting, but a wise and Frugal way of spending, as has been intimated before.

Thirdly, He says, that the 11 *s.* which was demanded of *Barnet* was never yet paid, what ever he paid, or Exhibition-Fees, which as the Canon makes to be due at all Visitations, so are more especially and undeniably due, when Letters of Institution and Induction are to be exhibited the first time, and sign'd by the Register which was *Barnet's* Case with respect to this Vicarage of *Hay*.

Fourthly, He adds that *Barnet* was so much indebted to the Bishop since the Primary Visitation for Procurations for his Living of *Clyrow*, as made the Sum at the Triennial (even upon supposition that he was not oblig'd to pay above half Procurations then) amount to the 11 *s.* which he doth say was not receiv'd of him. And that it was usual with the Bishop to give his Welch Clergy credit for these Fees, and suffer them to be in Arrear, appears in that there is still above 50 *l.* owing to him on that account. These Answers our Author gives to this first Instance of Excessive Procurations, two of which he says

P. 254.

p. 254. will serve as replies to the remaining Depositions on this Head.

The next of which is, That the famous *Jeremiah Griffith*, Deposeth that he paid at the Triennial Visitation double Procurations for a Vicarage and a Prebend. To which,

p. 228.

First, Our Author desires the Reader to remember what has been before said to render this wicked man *Griffith*, a very incompetent Witness in this, or any other Case.

Secondly, Also to call to mind what has been newly said of the 137th. Canon, on which the Bishop grounded his demand; and he affirms.

Thirdly, That *Griffith* in reality never paid full Procurations, as Vicar nor Prebendary, since there had been one third of what he paid in arrears for the said Prebend, since the Primary Visitation, and-as for the Vicarage, he Swore falsely in that part of the 15 s. he paid was for Fees of a Resignation, which he ow'd to the Bishop; so that instead of his Lordship's being prov'd guilty of Extortion by any thing in this Deposition, we have only further Evidence both of the Malice of the Witness and the Writer of the *View*; to which our Author adds, that whoever enquires narrowly into this, as well as other Branches of the Juridical procedure against the Bishop, will be still further convinc'd that some people thought it no part of their Duty to Examine whether the things whereof he was accus'd were true, but whether they would serve to Asperse and Blacken him; and therefore such who had vow'd Revenge against the Bishop, (as *Griffith* particularly had) were Encourag'd in saying all the ill of him they pleas'd, without being in danger of meeting with rebukes, for their Lies and Perjuries.

p. 256.

The Third and last Instance on this Head is of one *Henry Rogers*, who Swears, that he paid by the Bishop's order to his Servant 9 s. whereas he ought to have paid but 4 s. 6 d.

Now here our Author first refers his Reader again to the Canon which allows it. But Secondly, he observes that which he says will detract from all the Depositions given against the Bishop of St. *David's*, and that is, that this very *Rogers* has Sworn to *Lucy* the Promoter's having Endeavour'd (at the Metropolitcal Visitation at *Cardigan* 1694) to Suborn him to be a Witness against the Bishop, by telling him that his Living was small, and that as he needed not esteem himself, indebted to the Bishop, for so small a matter. And that the Archbishop would take notice of such as would inform against his Lordship; and also that *Lucy* had in effect menac'd him, to Depose against the Bishop, by threatening that they who would not then declare the truth, should have a Journey to *London*, as sure as God was in *Glocester*; the meaning of which general words of Carssing, and Menacing is so obvious, that no man of Sense can miss discovering that *Lucy's* design

design was the mustering up of Witnesses by fair means and by foul, and that they who would not be Suborn'd by Promises, were to be frighted with threats.

Thirdly, He observes that this *Rogers* himself Swears, that one Mr. *Powel* was order'd by Mr. *Prise* to tell him, that if any more had been receiv'd of him, for Procurations than what he ought to have paid; that it should be restor'd him, which shews how sincere the Bishop, was in the offer he made at the beginning of the Process, 'that though 'he had never demanded, nor taken higher Fees, of any kind then as 'he was inform'd by his Register, he Legally might, yet that in case 'he should by the said Information have been mislead to the Claiming of greater Fees than he ought to have done, he would be ready 'to make full Restitution to every Person of whatsoever had been receiv'd of them, above what they were oblig'd by Law and Custom, 'to have paid; which is a full Vindication of his Lordship, from having had any thought of oppressing his Clergy, by taking from them Excessive Procurations.

Fourthly, He answers that the 9 s. paid at the Triennial Visitation, was the Procuration Fees that he was in Arrear for, from the time of his Primary Visitation; when by Law and Usage, so much was to have been taken from him, neither did he in 1691 (nor has he ever since) paid the Procurations, which were due at the Triennial.

And thus our Author ends the Examination of these things charg'd on the Bishop, and says he has fully Vindicated him from all the foregoing aspersions cast upon him.

The next thing which falls under his Consideration is, the Sin of Simony— (*Pavlo Majora canamus*—) Which the modest Author of the *Summary View* is pleas'd to affirm was not only charg'd, but prov'd against the Bishop, to have been committed by him in many Instances, which before our Author proceeds to Examine, he offers several things by way of Preliminaries, whereby we may come the better to understand the nature of this Crime, and know what Provisions have been made in all Ages, for the preventing of it, and how such who were found Guilty of it, have by the Laws of Christian Nations, as well as by the Canons of the Church, been order'd to be Punish'd, which the Reader may find, which is all I shall say to it here, having a mind to hasten to the great proofs which are to be Examin'd. In the beginning of which our Author says, the Writer of the *View* both blunders and Falshies, for whereas he says the Simony was committed by the Bishop in many Instances, yet in the next words he is forc'd to acknowledge that all the Simonies whereof the Bishop is so much as Accus'd, do either relate to his Nephew Mr. *Medley*, or the Living he held in *Commendam* in *Cambridgeshire* so that though two are too much.

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much, yet these can't be properly said to be many: As to Mr. *Medley* the Writer of the *View* premises that though the Bishop bestow'd on him many considerable Preferments, yet he complain'd of want of Money, and was disturb'd and Melancholy, and heard to wish he had staid at his Curacy in *Yorkshire*, worth about 30 l. or 40 l. *per Annum*, concerning all which our Author also Premises.

First, That it does fully appear by the Testimonies upon Oath of many Witnesses of unquestionable Reputation, that the Bishop did not only on all occasions declare his abhorrence of Simony, but that he did both rebuke some of his Relations, for making Proposals to him that had a tendency that way, and that he did also refuse an advantageous Match for one of his Nieces, because there was something overture'd in order thereunto, which might be construed to have carried a Simoniack Air in it.

p. 271.

Secondly, That the said Mr. *Medley*, is a person of such remarkable and known Virtue, Probity and Piety, that he would have chosen rather to have Starved, then come into any Ecclesiastical Benefice, by ways and means that were Sinful and Criminal; and this Religious Character of him, is given not only by those whom the Bishop produc'd for witnesses, of which there are at least 13, but also by many of the Promoter's Witnesses, as *William Jones Gent.* *John Barnet*, *Walter Watkins*, *John Philips*, *William Harris*, and even *Jeremiah Griffith*, who Swears him to be a man of a strict Life and Conversation, very Charitable, an Honest Man, and upright in his dealings, and a Man of Conscience.

p. 276.

Having premis'd these things, which he takes to be very Subservient towards the Vindicating the Bishop, from whatever he has been aspers'd with, by reason of the Preferments he bestow'd on Mr. *Medley*, he bestows two Reflections on the Author of the *View*, first to represent him as an ill Man, and unfaithful Writer, and the second to expose him as one extremely Ignorant, and this he does. And then, he makes a distinct reply to what the Writer of the *View* had before suggested, to insinuate Simony in Mr. *Medley*, that notwithstanding his great Preferments, he was not Gay, but Melancholly, to which

p. 279,
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First, Our Author says, this may be resolv'd into a Man's natural Constitution, and they must be very ill Philosophers as well as no good Christians) who from one Man's not being so pleasant and Jocular, as his Neighbours, do take upon them to conclude, that the former is Loaded with an apprehension and Sense of Guilt, which hinders him from being Merry.

Secondly, As to Gayety, our Author says, he does not find that this is one of the Qualifications requir'd in those who are admitted into Holy Orders, but rather something not very reconcileable with it, for

St.

St. Paul tells both *Timothy* and *Titus*, that the Ministers of the Gospel should be Sober and Grave.

Thirdly, That Mr. *Medley* was not so Gay in his Humour as *Meyrick*, and others of the Promoter's Witnesses, may be ascrib'd to Mr. *Medley*'s temperate way of Living, in comparison of theirs, and particularly to his not being a Frequenter of Taverns and Tipling-Houses, nor so liberal a Drinker of Wine and stronge Beer, as other Gentlemen allow themselves to be. P. 282.

Fourthly and Lastly, it has been Depos'd by several Witnesses concerning the true cause of his Melancholy, one of which affirms upon Oath that he's morally assur'd the Melancholy into which Mr. *Medley* fell for some time, proceeded from a Cause very Foreign to Simony. And Mrs. *Elizabeth Hyde* Depos'd positively on Oath, that his Melancholy was occasion'd by the death of a Gentlewoman, whom he had entirely Lov'd, and intended to have Married, and that it was through Grief and Sorrow for her Decease, that he became so, and not because of any Simoniackal Transactions.

Which plainly accounts for his wishing he had staid in *Yorkshire*, for by continuing there, he had not been acquainted with this Gentlewoman, whose Death had occasion'd his trouble and Melancholy. And as for Mr. *Medley*'s complaining of the want of Money, he answers briefly, but fully, that those complaints were made soon after his being Collated to his Benefices which no man who considers the unavoidable expences incident to long Journies and removes, besides the charges necessarily attending men's first coming to Preferments, as Fees, Tenths, first-Fruits, &c. can at all wonder at; besides Mr. *Medley* was much in debt before, as will be shew'd hereafter. P. 283.

Our Author having dispatch'd these Premises proceeds, to consider whatever has been alledg'd by the Writer of the *Vindication* for rendering the Bishop Guilty of Simony; and the first thing offer'd is a Deposition of *Thomas Powel*; The Substance of which is this, P. 286.

'That the Bishop collated Mr. *Medley* to the Prebend of *Clyddy*, in the Month of *May* 1688. and that he continued Prebendary thereof three years, during which time, the said *Powel* receiv'd the Rent of it viz. 15 l. per Annum, and paid it to the Bishop by his Order, and also 15 l. part of the fine paid by *Edmond Meyrick* the Tenant for renewing his Lease. In answer to all which our Author.

First, Beseeches the Reader to be so Just to himself, as to call to mind the account and Character already given of *Powel* by the Author, which is very much confirm'd by his directly For-swearing and Per-juring himself in this very Deposition newly recited; for there he Swears positively that the Bishop Collated Mr. *Medley* to the Prebend of *Clyddy* in *May* 1688. and afterwards that he Collated him to the Arch- P. 154.

Arch-Deconry of St. *David's* voided by death, after *Michaelmas* 1690. by reason whereof the said Prebend of *Clyddy* became actually void, by which it appears, that Mr. *Medley* continued Prebendary of *Clyddy*, for only two years and a half, and yet *Powel* Swears he receiv'd the Rents for three years. Behold an Evidence stuff'd with Contradiction and Perjury! And what a Character does this give us, both of the Writer of the *View*, and this *Powel*? This is a fresh proof how inadvertently, and how much at Random the one wrote, and the other Swore.

p. 299.

Secondly, Tho' *Powel* Swears that he paid the Money to the Bishop, by his order, yet it does not amount to a proof that it was Receiv'd for the Bishop's use, nay that it was not applied to Mr. *Medley's* use, appears not only by diverse Depositions upon Oath before the Metropolitan, but also before a Civil Judge at the Assizes at *Carmarthen*, to which he adds another reply.

p. 292.

Thirdly, That forasmuch as the Bishop might know *Meyrick*, to be such Sharper. (i. e.) such a dishonest Man, as that he would be ready to cheat him, with respect to the quantity as well as the quality, (Mr. *Medley* little knowing the World or understanding Cohn) his Lordship therefore in great Prudence order'd *Powel* to receive it.

To all which he adds another Instance of the fraudulent Swearing of *Powel*, and the insincere writing of the Author of the *View*. But enough of that.

The next Deposition is of *Meyrick* himself, to the same story of the Bishop's ordering the Fine as above, to be paid to *Powel*; now here.

First our Author reminds the Reader of the Character given of *Meyrick*, before which makes him too Infamous to have been admitted a Witness against any Person whatsoever, and more especially against the Bishop of St. *David's*.

p. 42.

Secondly, This very Deposition of his, is enough to give us fuller Assurance that no Credit ought to be given, to any thing that he Swears, in that, Whereas he has Sworn, that he was Tenant and Lessee to the Corps belonging, to the Prebend of *Clyddy*, it has been made appear by the Testimony of his own accomplice and fellow Conspirator *Thomas Powel*, that he was not the Lessee or the Tenant, but that one Dr. *Jones*, was so, and *Meyrick* acted only in trust for the said Doctor.

Thirdly, There is nothing in either of these two Depositions, of *Powel* and *Meyrick* that amount to any thing, like a Proof of Simony, but only some Actions of his Lordships are related, from his Enemies Malice, which rais'd the Suspicion of it; but if Persons be Condemn'd for things which do, at the most, only afford ground of Jealousie to those that Hate them, or that they have offended, we may then bid Adieu to all Justice in this World, and take it for granted, that all the Security men can have, for their Reputations, Estates, and Lives, will

will be meerly Precarious, and they who are most Innocent, must suffer upon the Opinion of those who bear Enmity to them.

Fourthly, Though *Meyrick* for *Jones* paid but 25 *l.* yet the renewing was worth a great deal more, but the Bishop said when he understood Mr. *Medley* had made an agreement contrary to his advice, that he would not endeavour to break his Foolish Bargains, which saying of the Bishop's, *Meyrick* very partially and Faithlessly left out of his Deposition, on this motive no doubt, namely, because, if he had inserted those words of the Bishop, in his Deposition, the whole which he Swore, would have had another view and aspect, than he intended it should, and would have given men to understand, that the Bishop own'd the whole Right and Title of that Prebend, and the full power of Transacting all things relating to it, to be in Mr. *Medley*, and whatsoever his Lordship took upon him to do in relation thereunto, was by way of Counselling and advising his Nephew, who had to do with a Sharper and who himself had then but little knowledge of, and less Experience in the affairs of the World.

To which he adds another reason, by which it appears that the Bishop did no more than was Lawful and indeed necessary for a wise Man, and Friend, and to prevent his Relation from being Bubbled, and Couzen'd.

And adds besides, Mr. *Medley* had Morgag'd his Prebend to one Mr. *Rowlands*, which is not only a farther proof of his having a full Title to his Prebend, but also a good reason why the Bishop advis'd him to get as high a Fine as he could, and call'd his agreeing to take 25 *l.* for what was worth about 50 *l.* a Foolish Bargain.

And again, *Meyrick* himself has upon Oath Justified the Bishop's ordering the Money to be paid to *Pomel*, upon this reason then given, (considering the then State of the Coyn) Because Mr. *Medley* could not count Money, which our Author takes to be no disparagement to an Ecclesiastick, and after adds these very words-- And whether the Metropolitans admitting such Allegations as these, to come into Proof against the Bishop of St. *David's*, for convicting him of Simony, does most reflect upon his understanding, or his Conscience ; I will not take upon me to determine, though I cannot forbear saying, that it has given the World a strange Idea of his Grace, as to the one, if not both of them. And Lastly he comes to shew, the Transactions between the Bishop and his Nephew, which were both so Legal and Innocent, that all Impartial men must be forc'd both to Pronounce the Bishop guiltless, of this Crime, for which he was censur'd, and likewise acknowledge with how much Hatred and Malice, and with how little regard to the rules, of Righteousness and Justice, some People have behav'd themselves in the management of the Process against

P. 232.

him. And here our Author solemnly promises, that in relating this matter, he will govern himself with that single respect to Truth, which ought to be expected from every Writer, who would not offend God, Dishonor himself, nor impose upon the World. And here,

First, (In order to the rendering this matter undeniable, and demonstratively Evident) he observes, that it is Sworn by several Witnesses, that the Bishop's receiving the Rents of some of Mr. *Medley's* Preferments was not by reason of any Simoniacal contract between them, but in consideration of several sums of Money which had been really lent to him and laid out by the Bishop for him, and having long before executed a Bond for part of the same, after he was possess'd of his Benefices, he granted to the Bishop full power and Authority to receive the Rents of some of them for his Re-imbursement; and all this was done with that way of dealing that is not proper for criminal matters which are usually transacted in the dark.

P. 300.

Second. He offers to view two Schedules, marked *A.* and *B.* which were exhibited to the Metropolitan, and sworn to by persons of unquestionable reputation, which are accounts of what the Bishop laid out for him. All the particulars of which *See the Appendix.* were stated and settled between the Bishop and Mr. *Medley* before sufficient and legal Witnesses of whom he there mentions no less than Six, in the years 1691, and 1695. before the Prosecution began.

Thirdly He desires that it may be carefully observ'd that there is no one thing in the said exhibits or Schedules, which was not either admitted by the very Metropolitan, or which hath not been confest, or fully and undeniably prov'd by Authentick witnesses; and names some few of them.

First, Mr. *Medley's* Mother, Swears to what was paid to her, and Mr. *Lambert* as her Son's entreaty, and to the 300 *l.* part of his two Sisters portions, which the Bishop advanc'd at her Son's request (he having undertook to pay the said sums, but could not raise them at that time) she Swears also to her Son's being Indebted to the Bishop, for the Money paid to Mr. *Romland's*, and besides she Deposes that her Son, told her how very Just his Lordship had been to him, as to the Rents and Profits his Lordship had receiv'd out of his Preferments for his Re-imbursement, and that he was still in Debt to his Lordship. And,

Secondly, Mrs. *Elizabeth Hide*, a near Relation of Mr. *Medley*, and therefore most likely to be best acquainted with his affairs, and a Gentlewoman of great Virtue and Probity, deposes to the 300 *l.* part of the Marriage-Portion of his two Sisters, and the 40 *l.* the Bishop expended on his Education in *Cambridge*, and the 6 *l.* paid by the Bishop for his Board, when he serv'd the Cure at *West-Warhen*, and the

the 7th 15 s. for the Gown and Cassock; and that she has heard Mr. *Medley* confess and declare, that all the Sums in the Schedule *A.* were so paid on his account, and this she believes to be true, because Mr. *Medley* had no Friend, that could or would assist him in such concerns, and Exigencies, save his Lordship. To this purpose also are the Depositions of Mr. *Charles Pryse*, Præcenter of St. *David's*, and Mr. *Charles Price*, Vicar of *Llanarth*, and Mr. *Henry Powel* Vicar of *Langadock*, Mr. *William Williams*, and *Wilfray Piemont*, &c. to which I refer the Reader,

p 395.

Fourthly, Our Author observes that Mr. *Medley*, has own'd all the particulars in the two Schedules, to be exactly true, and he reckons it an injustice done, both to the Bishop and Mr. *Medley*, in refusing to hear Mr. *Medley* when he offer'd to be Examined upon Oath. Besides many of these Debts were contracted several years before Dr. *Watson*, was promoted to the Bishoprick of St. *David's*; where then is the Simony?

Fifthly, In order to the paying of the foremention'd Debts, which have been fully prov'd to have been owing to the Bishop, Mr. *Medley* did publicly Authorise the Bishop to receive his Rents, since upon very Legal and Justifiable grounds he had a Right to them; and as no Secret was made of the Securitys which were Executed before sufficient and proper Witnesses, so *Wilfray Pyement* Swears his having been a Witness to Mr. *Medley's* Executing an Assignment, or Letter of Attorney to the Bishop, for the Rents of *Midrim* for two years; towards the Reimbursement of the 100 l. which his Lordship at Mr. *Medley's* desire, and in his name had paid to Mr. *Charles Pryse*, as Mr. *Medley's* Quota, or part of his Sisters Port'on; so Mr. *Price* Vicar of *Llanarth* has Sworn to his Lordship's being Empower'd by reason of the aforesaid Considerations, to receive the Rents, which accrued from Mr. *Medley's* Dignities and Preferments. And as there was nothing in all this, that bore any Affinity to Simony, or had the least Colour or Tincture of it, so none but such who acted upon Prejudice and Malice, could upon that account have thought, and much less have sentenc'd the Bishop of St. *David's*, for a Simonist. For it has been as unexceptionably as commonly practic'd for any Ecclesiastical person, who is legally possess'd of any Benefices, to convey a Right of Receiving the Rents to whom he pleaseth. And the granting such a power to pay a Just Debt, is the most Justifiable motive for doing it, and therefore nothing but Wrath and Revenge, or such like Passions, would have influenced men to account that Simony in the Bishop of St. *David's* and Mr. *Medley*, which all the world allows to be Legal and Just, and Innocent in others.

Sixthly, And lastly, he observes that after all that the Bishop receiv'd out of the Rents of Mr. *Medley*, Preferments, there was then a very considerable Debt remaining due to his Lordship. For the whole own'd by the Bishop, or so much as is pretended by the Promoter's Witnesses, amounts only to 531 *l. viz.* out of *Clyddy* Prebend three years Rent,

	<i>l.</i>	<i>s.</i>	<i>d.</i>
At 15 <i>l. per Annum</i> —————	45	00	00
And in part of Fine, —————	15	00	00
Out of the Arch-Deaconry ———	156	00	00
Out of the Treasurehip ————	315	00	00
<hr/>			
In all 531 —————	531	00	00
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And it has been made appear by the Bishop's exhibits, and confess'd by Mr. *Medley*, and prov'd by the Oaths of many Witnesses of undoubted Credit, that Mr. *Medley* was Debter to his Lordship in no less Sum than 748 *l. 2 s. 10 d.* So that on the ballance of this account, there remains due to the Bishop 217 *l. 02 s. 10 d.* And when we consider that 7 *l. 10 s.* is to be deducted out of the 531 *l.* charg'd above, (for the Bishop receiv'd but 37 *l. 10 s.* for the Rent of the Prebend of *Clyddy* and not 45 *l.* having receiv'd the Rents but for two years and a half) then there remain'd due to the Bishop 224 *l. 2 s. 10 d.* so that the Bishop instead of being convicted of Simoniackal contracts with his Nephew, appears upon the whole matter, to be a great looser by, or Benefactor to him.

Our Author adds a great deal more for Forty pages together, concerning this pretended Simony between the Bishop, and Mr. *Medley*, and gives full and clear answers to every particular Insinuation of the Writer of the *Viem*, and farther detects as he goes along the Perjury and Contradictions of the Witnesses, the Prevarication and Fraud of the Author of the *Viem*, and the injustice and malice of the whole Arbitrary proceedings against the Bishop. But it would Swell this Epitome too much, to insist on every particular; and besides, I think there is no need of it; For what I have already Collected out of our Author on this Head of Simony with Mr. *Medley's* being a person of great Integrity Honesty, and Simplicity (his Adversaries themselves being Judges) is sufficient, I doubt not, to satisfy, all upright Judges that both the Bishop and Mr. *Medley* have been very much abus'd (to say the least) in this Unjust and false Charge; I therefore leave this matter, and refer the Reader who desires to know more of it to our Author.

Where our Author proceeds to Examine, what is said by the Writer of the *View*, for fastening of Simony on his Lordship, in his granting one *Williams* or *Mr. Brook's* a Lease of the Rectory of *Burrough-Green* in *Cambridgeshire*, which the Bishop held in *Commendam*, and which the said Writer calls the other Act of Simony alledg'd against his Lordship, whereby he owns but two Acts of Simony, which yet he calls many; which is said with great thoughtlessness and inadvertency, to say the least it will bear.

And now that the Reader may the more clearly and distinctly understand this whole affair, and be the better prepar'd to discern the Injury and Injustice done to the Bishop of *St. David's*, in Condemning him for Simony upon this account, our Author says, he must beg the Liberty to premise a few things, which may serve both to mark out the Ground which this Writer and he is to fight upon, and for measuring the weapons they are to make use of; Whereof the first is, that the Bishop had held that Rectory for some time in *Commendam*, and had at that time a Legal Right and Title, to all the Profits and Emoluments of it, which were considerable, and consequently his Lordship in the virtue of his Faculty, whereby he held it had a Free-hold and Heritage in it for Life. And,

Secondly, That though his Lordship might have continued to hold it still in *Commendam*, and to have supplied it by a Curate, as he had formerly done, yet through his being at such a distance that he could neither readily nor perfectly know how his Curates perform'd the duties of their Function, he thought it would be for the Edification of the Parishioners of that Rectory, and also for his own honour to settle a Person of good Fame in it, who should be oblig'd to reside constantly in it, during such a time, as was like to be as long, as his Lordship's natural Life, beyond which he had no Power to Dispose of it. And *William Brooks* being very much commended, to the Bishop as well for his Abilities, as Sober and Virtuous Conversation, who had not only Preach'd at *St. Ann's* with great applause, but who wore the Badge of a Lord's Chaplain, his Lordship believ'd he could not express a greater Care of his Parish than to settle the said *Brooks* among them.

P. 532-

Thirdly, That all Parsons, Vicars &c. Residing, or not Residing on their Cures, are allow'd by Law, and generall use to Lease out the Tiths and Profits of them, and there's no doubt, but they who hold Benefices in *Commendam*, may as Lawfully Lease out the Profits of them, and under the Provisions and with the like Limitations as others, viz. of having the Cures supplied by Persons capable of being Constituted their Curates.

Fourthly,

Fourthly, That 'tis the same thing both in Justice and Equity, and in the Esteem of the Law, whether the Profits be Leas'd out at a Rack-Rent, or a Considerable fine be paid in hand, with the reserve of a small yearly Rent.

Fifthly, That 'tis as Lawfull both by our Laws, and Canons, for an Incumbent to Lease out the Profits of his Living to a Clergy-man, as to a Laick; nay there are some very Learned, as well as wise men, who are of opinion, that 'tis both more agreeable to Reason and Religion, and would be more for the Interest of the Church, to have those Tiths rather Leas'd to one of the Sacred Order, than to a Lay-Man.

P. 355.

Sixthly, That it was morally Impossible, there should be any thing Simoniack in that Contract between the Bishop of *St. David's* and *William Brooks*, in that the Indenture relating thereunto was drawn by *Sir Francis Pemberton*, who as he was an Excellent Lawyer, was also a person of that Probity, and such an observer of the Constitutions of the Church of *England*, that he would have never been accessary to a thing which was either Immoral or Illegal, and much less have prepar'd, as well as approv'd, a Lease, Demise, or Deed which was so directly repugnant to the Statutes of the Realm, and the Ordinances of the Church, as this is sentenc'd to have been; And this was under undeniable proof before his Grace of *Canterbury*, and those he call'd to be assessors to him; though neither with him nor them was there any thing that could be offer'd of the least signifiçancy for the acquitting a Person they had a Pique against, and were resolv'd to condemn; and who was therefore to be made guilty, because he was then hated at *Kensington*, and thereby at *Lambeth*, *Ely*, *Salisbury*, and divers other places, where the Meridian of affairs was understood, and the Zenith of power so well known, as that the Clocks of those places

P. 257.

were set to Chime and Strike accordingly.

Seventhly, And Lastly, He Premises that the difference between the Articles exhibited against the Bishop of *St. David's* at first, and the Articles preferr'd afterwards against the said Prelate, doth plainly shew, that neither the Promoter nor others who sought for an advantage against him in that matter, knew how to find any thing criminal in the said transaction, but that they were resolv'd to pitch upon some one particular or another, which they might among the ignorant, and before prepossess'd and prejudic'd Judges call by that Opprobrious name; For in the first Articles he is accus'd of Simony, and in the second only charged with fraud and deceit.

Vid. P. 358

And he takes the Arch-Bishop to be very partial and unjust in admitting these different Articles from the Promoter, especially since he refus'd some of the Bishop's allegations on exceptions, that these contrary

contrary

trary Articles of the Promoter were more liable to; Which, as well as many other parts of his proceedings are a sufficient Evidence, either that he did not understand the Rules of the Civil and Canon Law, and the just practice in Juridical proceedings, or that in compliance with his design of depriving the Bishop right or wrong, he was resolv'd to have no regard to them.

P. 359.

Having premis'd these seven particulars, our Author undertakes to examine the Testimonies produc'd by the Writer the of *View* on this Subject, of which the First is, Of one *John Williams* the Elder, who depos'd that about *December 1692*, the Bishop and Mr. *William Brooks* came to an agreement in his presence that Mr *Brooks* should have a lease of the Rectory of *Burrough-Green*, and the profits determinable on the Bishop's Life, he paying the Bishop 200 Guineas for it, accordingly a Draught of a Lease was made, in which the Bishop alter'd several things, and would not allow the 200 Guinea's to be mention'd as the Consideration, and after he had received the greatest part of the 200 Guinea's he would have the Lease determinable on the Life of *Brooks* also, which *Brooks* was glad to accept of the Bishop giving him the Note exhibited by the Promoter, and Wrote wholly by himself; Now in answer to this, our Author says, that he has such things to say, which will not only fully vindicate the Bishop, but also leave disgrace and Infamy on both the Writer of *View*, and the Deponent, as well as some others.

Ap. N. 8.

And the First is, That upon consulting the draught of the Lease Exhibited by the Promoter, he finds the 200 Guineas are not therein mention'd, or made a part of it, and consequently that whatever alterations his Lordship might have made in the draught of the Lease when it was brought him, yet that it was impossible, his not admitting the 200 Guineas to continue insert'd in it, as the consideration for granting the Lease, should have been, not only one of the alterations, but such a singular one, as should deserve the naming with a particularly; For though things actually insert'd in draughts of Leases, Indenturs, or Deeds, may be either altered or wholly expung'd, yet it is impossible to have that blotted out of them which never was there. And therefore 'tis strange liberty that some men assume of asserting and reporting those things to have been in writings, which were never in them. Which tho' some men's consciences may allow them to do, yet common prudence and discretion, one would think, should restrain them from a thing wherein they are so plainly and undeniably detect'd to have forg'd a falsehood in matter of fact, and obtruded it upon the world as a reality and truth.

P. 361.

Secondly. Our Author adds particularly by way of reflection on the Author of the *View*, That what *John Williams* swears to upon Hear-say,

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say, this insincere and faithless Writer makes him to have depos'd on his own personal Knowledge For *Williams* only says; That he had been inform'd &c. Which piece of Treachery and Falsification in the Writer of the *View*, bears much affinity and alliance, says our Author to the proceedings of a much greater man (whose Titles and Dignities only make him Great) against the Bishop of St. *David's*; For this Author has given us a Narrative of the Process against this Prelate, fill'd up with as much Chicanry and Fourbery, as he who took upon him to be sole Judge in this cause, and some of his assessors, discover'd Partiality, Pique, and Revenge accompanied with gross Ignorance, and a neglect of all the Rules Establish'd by the Doctors, for the guidance of men in Judicial Actings. He observes

P. 362.

Thirdly, That whereas, both *Williams* Swears to his having seen the lease granted by the Bishop to *Brooks*, executed, and the Author of the *View*, after his wonted *Corinthian* manner, hath several times asserted that it was so, but alter'd from the first draught of it; yet during the whole process, there was never a Lease produc'd or exhibited, but meerly a draught of one; And whoever talks of Executing a bare draught of a Lease, shews himself to have little understanding, to say no worse in affairs of this kind. But our Author says, one may live and learn, in that whereas he had hitherto been taught, and was firmly perswaded, that no Court of Judicature whatsoever, could proceed to pass Sentence in Relation to matters which were only alledg'd, unless they were also prov'd by good and legal Witnesses, he has now seen under the Reign of the late K. *W.* such as he had plac'd in the highest dignities of the Church could venture to give Judgment against a Brother and a Comprovincial Bishop, upon a noise and suggestion of a certain Lease (suppos'd to have been Simonically granted) which during the whole Trial was so far from being prov'd, that it was never so much as produc'd.

P. 363.

Fourthly, He answers farther that as it was upon *Brooks's* applying to the Bishop, and not upon the Bishops seeking to *Brooks* that his Lordship came to grant *Brooks* a Lease of the tiths of *Barrrough-Green*, so it was by this very *Williams* that *Brooks* made his Addresses to his Lordship for obtaining it; Which *Wilfray Pyemont* has not only depos'd, but even *Williams* himself has likewise acknowledg'd upon Oath.

P. 364.

And that the said Lease was to be determinable with *Brooks's* Life, we have undeniable proof given us by Mrs. *Brooks's*; who though a party (being his Wife) and greatly interested, and who has likewise Sworn to divers things falsly, yet even she, in reference to this has acknowledg'd upon Oath, that upon discoursing with the Bishop, about her

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Husband's taking a Lease of the Tithes of *Burrough-Green*, she was not willing her Husband should so lay out her Money, which should be for her Maintenance after her Husbands death, saying he was but a Sickly Man. And that the Bishop told her by way of Answer, that her Husband was as likely to Live as she, of which Cofession of hers upon Oath, our Author ventures to say, that it is enough to Satisfie all the Reasonable part of Mankind, that the Lease which was granted by the Bishop to *Brooks*, of the Tithes of the Rectory of *Burrough-Green*, was to determine with the Life of the said *Brooks*; for can any who have not lost the use of their Understanding, imagine that either Mrs. *Brooks* would have made the Sicknefs of her Husband an Exception to the laying out of her Money on such a Lease, or that the Bishop would have replied to her, that her Husband was as likely to Live as she was, unless it had been Concerted and Agreed the said Lease should be determinable on *William Brooks's* Life.

P. 365.

'Tis true, the Bishop was impos'd on, in being made to believe that *Brooks* was a Clergy-man, when he was not; nor is the Bishop of *St. David's* the only Prelate that has been deceiv'd in that kind, seeing (besides others) the present Bishop of *Ely*, Dr. *Patrick*, was once so deceiv'd in the same way, as to give Institution to the Vicarage of *Croyden*, to a meer Lay-man, upon which the Patroness for that time lost her Right of Presenting, and one who was a Clerk came to be instituted on the King's Presentation. And no wonder if the Bishop took him for a Priest, after what has been before said of his preaching at *St. Ann's*, and wearing the Badge of an Earl's Chaplain; and supposing the Bishop knew him to be a Lay-man, this instead of making him liable to Simony, will indisputably free him from it, in that a Lay-man could not have a Lease of the Cure made to him, and therefore the whole agreed for, between the Bishop and him, must be only Globe-Land, Tithes, and Profits of that kind, and not the Cure it self, nor any thing that goes under the Nomination of Spiritual.

p. 368.

Finally, whereas the Author of the *View* takes upon him, to report that *Williams* had Sworn to *Brooks's*, having been put to 30*l.* Expence, in going down to *Burrough-Green*, our Author replies.

First, That the Writer of the *View*, is here guilty of two Falsifications (1) in that he obtrudes upon his Readers, as if *Williams* Swore this upon his own knowledge, which he only did upon hear-say, and (2) that he puts down positively 30*l.* when *William* says only about 30*l.*

Secondly, He replies that 'tis not true, that he was at the Expence of about 30*l.* seeing besides his Coach-hire, some Bottles of Wine, and some Papers of Fruit, which he put into the Coach, his whole Expence

was but 3 l. 7 s. and he that can make Simony out of that Sum, may make Simony out of the most Virtuous, as well as legal Actions a man can do.

P. 369.

The next thing the Writer of the *View* insists on, is some Exceptionable Clauses in the Lease between the Bishop of St. David's, and this *William Brooks*. To which our Author replies,

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P. 370.

First, That the matter of Fact is falsely reported to the Reader, for that which the Writer of the *View* calls a Lease, is only a draught of a Lease, which is a Writing, that a Scrivener for 10 s. could foist in whatever is suggested to him, and never is allow'd in *Westminster-Hall*, to be so much as taken notice of, much less admitted as Evidence either against Plaintiff or Defendant.

Secondly, That though *Williams* and the Author of the *View*, have both positively affirm'd, that the Lease had been granted on the Consideration of 200 Guineas, yet there is not the least Mention of it in any of the Clauses, which this Writer has given us out of the Lease, by which observation our Autho designs to shew what little Credit is to be given to this Writer in any thing he reports, and how his most plausible reasons for aspersing the Bishop of St. David's, are Superstructed upon meer Fictions and Forgeries: 'Tis true he takes upon him to affirm, that the draught of the Lease Exhibited by the Promoter, was not the same draught which the Bishop alter'd, which as it is a notorious Falseshood, serves only to convince us of his being desirous to preserve the Reputation of his understanding, at the Expence of his Conscience. Yet so Silly and void of Judgment, is this Writer, that he has given Testimony against himself; For by his having Expressly, and in Terminis declar'd, that *Williams* was told the Bishop alter'd the Lease he Executed from the Draught alone recited, he has plainly thereby Confess'd, that the draught Exhibited by the Promoter, was the very same which the Bishop alter'd, and it has been shewn before, that there was not the least mention of 200 Guineas therein. But to set this matter right, and beyond all possibility of being gain-said, our Author recites what *Williams* has Sworn in this matter, Namely, that he having seen the Indenture Exhibited by the Promoter, doth Depose upon Oath, that it is the very same draught, which was drawn pursuant to the first Agreement, between the Bishop and *Brooks*, and the same which the Bishop interlin'd—so that from hence, our Author ventures to say, that the Writer of the *View*, is one who knows neither how to write with Judgment nor Sincerity.

P. 374.

Thirdly, Our Author adds, that the not producing the Lease it self, which had been Executed, is a most convincing Evidence, that the Bishop's most Malicious Enemies could find nothing in it, that could

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Criminally affect his Lordship, and this shews how Illegally, as well as unjustly, the Bishop's pretended Judges behav'd themselves in this matter, when instead of calling for a sight of the Lease which had been Executed, and whereof alone they could Legally take Cognisance, they altogether confin'd themselves to the taking notice of Clauses said to be in an imperfect draught, which men either of Honor or Justice, would have accounted of no Significancy as to the Fastning a Crime on any Person; and this deserves the more to be taken Notice of, because if the Executed Lease was extant, it might have been come by, and produc'd more easily and pertinently, than an Interlin'd Draught, which had been thrown aside; And this *Lucy* the Promoter seems to be sensible of, and therefore has taken Sanctuary in a notorious Lie, for that no less impudent than malicious man has in his additional Article made it a special matter against the Bishop, that instead of executing a Lease, he only gave a certain Writing in the nature of a Note, Sign'd and Seal'd: In which he is not only contradicted (and consequently declar'd a shameless Lyar) by the Author of the *View*, who reporteth that Mr. *Williams* has told us, the Bishop alter'd the Lease he Executed, from the Draught which hath been recited, but this very *Lucy* himself hath acknowledg'd, that the Bishop had given and executed a Lease to *Brooks*, so that we may conclude indubitably from what hath been declar'd, that there was a Lease actually executed; and since neither the Metropolitan call'd for a sight of it, nor the Promoter offer'd to produce it, but in the place of it, they insisted and proceeded on an Interlin'd Draught; every man who is impartial, may thereby be fully convinc'd that there was nothing in the executed Lease, for which the Bishop's greatest Enemies could hope to get him made any ways a Criminal, and much less a Simonist; but that rather than his Lordship should escape the Wrath and Revenge of his Prosecutors, and of him who assum'd the Sole Jurisdiction power, they resolv'd to break thro' all methods, and to trample upon all the Rules of Law and Justice.

F. 376.

And now, though our Author has by the Answers already given, made the Clauses recited by the Writer of the *View* altogether useless as to the fastning any Crime on the Bishop, and has also undeniably shown that they were both impertinently alledg'd, and unjustly admitted in Evidence against his Lordship, and thereby render'd it altogether needless to add any thing by reply, to this or that particular Clause; yet he begs the Readers pardon, if for the preventing complaints of his having neglected the taking notice of every thing produc'd and urg'd against the Bishop by the said Author, he makes some Reflections on those Clauses, in which he shews that there is not any thing in any of them that deserves to be so much as blam'd or

centur'd ; and much less (had not some People renounc'd Reason, as well as been at Enmity with Honesty and Justice) the least particular on which Simony can be ground'd ; and on this he spends several pages, to which I refer the Reader.

P. 377 to
381.

The next thing about which he Encounters the Writer of the *View* is, concerning a certain Note, which he says the Bishop wrote himself, and gave to *Brooks's*, promising, that he would Resign the Rectory of *Burrough-Green*, whenever *Brooks* should desire it : To which our Author says, First, that it is commonly Practic'd by Patrons (though he does not Justifie, much less greatly commend it) and that with general allowance, to take Bonds from Presentees for Resignation in some certain cases, and therefore it must needs sound odd in the ears of the sober part of Mankind, that the Bishop's gratuitous Note to *Brooks*, should be made a punishable Crime, and much more Simonical ; And this is the more observable, in that the very present Bishop of *Salisbury*, who was the great Instigator to all the severities against the Bishop of *St. David's*, is known to have taken Bonds from persons for the resigning their dignities upon some certain conditions ; And were there an enquiry made into all the particular cases wherein he hath done so, it is to be fear'd that he would not in some of them be found to have acted with that innocency, as the Bishop of *St. David's* did, in that note he gave to *Brooks* ; but while Judicial power and Authority stand vested in some people, we are not to be surpris'd, That *Dat veniam Corvis vexat censura Columbas*.

P. 382.

Secondly, He says that the Bishop's giving the said Note to *Brooks*, was not at all like that practice of Bonds of Resignation before mention'd, for it was granted on no Consideration, nor any thing demand'd or receiv'd as a motive to it, so that the whole that malice it self can say concerning it, is, that the Bishop was willing to gratifie the request and importunity of a weak unthinking man, in promising to do that for him, if desir'd ; Which he knew that *Brooks*, without being false to his own interest never would, nor could desire ; For there was no manner of probability, that if the Bishop had Resign'd the Patroness would ever present *Brooks* to it, for several reasons, so that all that even a mercenary Advocate can make of that Note is, that it was the gratifying a vanity and humour in so weak a man as *Brooks*, and a certain piece of inadvertent compliance in the Bishop, but was no offence either against Law or Canon, and much less had it any thing in it of Simoniackal corruption.

Thirdly, He says farther, That if his Lordship could have resign'd without doing any injury to *Brooks*, he had done a very wise thing, for thereby he would have been releas'd from the burden of the Cure, which that the Bishop esteem'd to be so, he has given a sufficient demonstration

stration by his Resignation of that very Rectory, soon after the Death of Mr. Brooks ; when the right of receiving all the Profits (which amounted to above 100 *l. per Annum*) was re-invested in his Lordship, upon the expiration of *Brooks's* Lease, which terminated with his Life ; and as the Bishop did resign it into the hands of the Diocesan, the Bishop of *Ely*, so none of his most malicious Enemies have been able to accuse him of any thing that was either Simoniacal, or Scandalous, in the Resignation of it, nor was it possible there should be any such thing, considering to whom he resign'd it ; and hereby he has given (the world) an undeniable proof that he is not the Covetous man he has been represented to be, and that it is next to Morally impossible, that he who upon such Christian motives, and after so generous a manner, resign'd the Rectory of *Burrough-Green*, when he might have Legally held it, should be capable during his incumbency, of committing the Crime of Simony in the disposing and Leasing out the Tithes of it.

p. 385.

Fourthly, He adds, That as the Writer of the *View* has acknowledg'd that the Draught of the Lease (whereof enough has been said already) did imply only a Conventional Simony, but not a real, so he has likewise declar'd, that the very Note it self could not amount to the proof of a real Simony, by reason that the Bishop had not the Right of Patronage of the said Rectory ; from which, says our Author, I may be allow'd Justly to infer, and I will therefore demonstratively conclude, that the whole which the Writer of the *View* hath taken upon him so clamorously to say of the Bishop, because of the foremention'd Note, is by his own Confession meer Slander and Calumny ; and that by his endeavouring from thence to get the Bishop believ'd to be chargeable with Simony, he hath only discover'd himself to be a weak and impertinent man, and withall, an avow'd and egregious defamer, as also a mercenary, impertinent, faithless, and contradictory Writer.

p. 386,

p. 387.

The next thing consider'd, is a Deposition made by Mrs. Brooks, the late Wife of *William Brooks*, on which our Author makes many Reflections, which shew the weakness, fraudulency, and infidelity of the Writer of the *View*, and the inconsistencies and self-contradictions of a silly, interested, bigotted, fanatical Woman, who was only tamper'd with, and suborn'd to Swear what she did. For it is not unworthy of particular remark, that as Dr. *Faucunbridge* was the Bishop's scandalous Chancellor, so he was the Metropolitans signal Advocate, and the Bishop's great and declar'd Enemy, he not only came to Mrs. Brooks to desire her to be a Witness against the Bishop of *St. David's*, but even she confess'd to Mr. Price, that not only *Lucy* the Promoter, but others also, would give her a good reward, provided she would deliver to them the Bishop's Note above mention'd, whereby we may understand how maliciously and revengefully the Bishop was Prosecuted, in that not only an

Hue.

p. 390. Hue and Cry was sent through the Nation against him, and the *Possée Regni* call'd to defame, and run him down, but all that could be done either in the methods of Application, Addresses, and Caresses, or in the way of Subornation and Bribery, was practis'd for the mustering up of Witnesses to blacken and asperse that Prelate. Our Author adds, that most of what Mrs. *Brooks* depos'd, was on Hear-say, which would not have been regarded by men of Integrity and Justice; and from the whole Tenor of her Deposition, it does appear that the Money her Husband was to pay, was for a Lease of the Tithes, and not the Curacy—And that there was nothing in proof of the full payment of the 200 *l.*

p. 392. And what Mrs. *Brooks* Swore against the Bishop, was after her making Application to his Lordship, for returning part of the Fine which her Husband paid, and the Bishop having deny'd to grant it, on the the foot of right and obligation, tho' he offer'd to have given her Testimonies of his bounty, provided she would address as a supplicant; and as nothing can more evidently demonstrate that there was nothing in the Transactions between the Bishop and *Brooks*, by which his Lordship could imagine it was possible Criminally to affect him, than that he deny'd to give her any Money on the foundation of a Claim, so it shews him to be more liberal and generous than his Enemies have represented him, that he offer'd to be kind to her, if she would have thrown herself upon his favour and Charity. For the proof of wick, he produces a full Deposition.

And as to the Clamour which had been rais'd of the loss which *Brooks* and his Wife sustain'd, by his Dying so soon after he had the Lease of the Tithes of *Burrough-Green*, our Author makes it appear, that *Brooks* had a very Profitable Advantagious Bargain, and that the Bishop alone was damag'd.

For, *First*, The Bishop at *Brook's* request, bought for him Household Goods to the value of above 50 *l.* for which his Lordship was never paid; then the Bishop gave him freely the whole Years Rent, which was due from the former Tenant before the Commencemen of *Brooks's* Lease, and besides, the Corn and Profits of the Rectory, when seiz'd upon Execution after *Brooks's* Death, discharg'd above 200 *l.* Debt, which *Brooks* had run into: Moreover it cost the Bishop 30 *l.* to Repair the Parsonage-House, and out-houses, &c. which *Brooks*, during his being in Possession of that Rectory, had suffer'd to decay, and dilapidate not to mention.

Secondly, His Lordship's being liable to pay above 10 *l.* to Mr. *Burrel*, for serving the Cure in *Brooks's* lifetime, and lastly it appears in proof, the Bishop receiv'd but 120 *l.* as a Fine for the Lease, and that at two payments; all which particulars, when the Reader lays them together, will

will make it easily perceivable what a Looser the Bishop was by this bargain, and none but he has just cause to complain.

Lastly, Our Author says, That the admitting Mrs. Brooks to be a Witness against the Bishop of St. David's, was against all Rules of Law; (for which he Quotes the Books of many Civilians, as he does also in many other places) and the Metropolitan, together with those of his Assessors, who in concurrence with him, laid weight upon her Testimony, did thereby in effect declare, that their business was not so much to Try his Lordship, as to Condemn him. P. 395.

I now come to the last thing the Author of the *View* charges the Bishop with, which is a greater Crime than Extortion or Simony it self (if a Bishop in his Ecclesiastical capacity can commit a greater) says this confident Writer, and that is *Crimen falsi*; by which he means the Bishop's certifying to Letters of Orders, that the Oaths on such occasions requir'd were given, when really they were not; To which our Author answers first by premising several particulars.

First, Concerning the Nature of *Crimen falsi*, and the different kinds and species of it, and Opinion of the Civilians about it.

Secondly, That in order to the convicting any body of it, there ought to be proof, that it was done fraudulently, and with ill design.

Thirdly, That 'tis also a Rule in Law, that the vindication of the innocency of a person, shall be allow'd to be prov'd by fewer and weaker Testimonies than his being guilty.

Fourthly, That when there is a contrariety in the Testimony of the Witnesses, some Swearing against the person, and others of equal Reputation for him, more Faith and Credit ought always to be given to the latter, than the former: And for this he Quotes the Rules of P. 403.
Law.

And besides in this case the Witnesses against the Bishop Swear to a Negative, wherein many things, as their ignorance, inadvertence, and their being unacquainted with the matters and forms, may make them be deceiv'd, and mistaken in what they Swear.

Fifthly, That whereas the Writer of the *View*, the Promoter, and their Complices, have Accus'd the Bishop of *Crimen falsi*, they are the persons most egregiously guilty of it, and in more various facts and kinds than could well be imagin'd.

Having finish'd these few Premises, our Author comes to consider the proof produc'd by the Writer of the *View*, which in short is this. That *Edward Williams* and *James Harris* depose that they were Ordain'd Deacons by the Bishop on the 24th of September 1693. and that they then took an Oath Writren on Paper, the words of which they cannot recollect, but positively swear that King *William's* and Queen *Mary's* names were not mention'd in it, and yet in it was certifi'd

in their Letters of Orders, that they had taken the necessary Oaths. In Answer to which our Author

First, Observes this Writer's down-right and egregious imposture in confounding the day of the Ordination, (*Sunday*) with other days of the *Ember-Week*, in which several things are to be transacted previous to the Act of Ordination, as Examination, Subscription, taking the Oath of Allegiance (of which more by and by) and the like, which he distinguishes not, but he huddles them together, as if all were to be done on the day of Ordination; our Author says was all Artifice, Trick and Juggle, to impose on, and mislead and deceive his Reader.

Secondly, That the Oaths of Allegiance and Supremacy are not both to be Administred on the day of Ordination, but only the latter, as may appear to any one who will look into the form and manner of Ordaining Deacons and Priests (so that the Writer of the *View* has here betray'd either his gross Ignorance, or his egregious Infidelity) and therefore accordingly the Bishop in the case before us, did not Administer the Oath of Allegiance on *Sunday* the 24th of *September*, but he actually did on *Saturday* the 23d in his Hall at *Abergwilly*, and the next day the Oath of Supremacy only, in his Chapel, as the Rubrick for ordering Deacons and Priests do's appoint. And therefore

Thirdly, *Williams* and *Harris* Swore foolishly and impertinently, that the Names of *K. William* and *Q. Mary* were not in the Oaths; for it was only the Oath of Supremacy, that they took that day, which had never these names in it. But it is much worse with *Harris*, for he Swears that he knows the new Oaths (in the Plural number) mention *K. William* and *Q. Mary*, which perhaps the ignorant Fellow might think, though it is Notoriously False; But what excuse can be made for the Promoter, and the Writer of the *View*? Why they must e'ne absolve one another, unless the Metropolitan, whose Agents they are, will do it for them both: To which our Author adds, That he is determin'd to believe that both *Williams*, and *Harris* were suborn'd, and brib'd to Swear as they did, and what they depos'd was dictated unto, and drawn from them by others; for which he gives several very plain and convincing reasons.

Fourthly, He observes that there is not one word in either of their Depositions, which is inconsistent with the Bishop's Certificate; for he only certifies that they took the necessary Oaths, which they did at the proper times and places, as before mention'd, viz. on the 23d and 24th of *September*, so that from thence singly, and without making any other Reflections, it does demonstratively appear how unjustly the Bishop of *St. David's* was proceeded against, and that the Metropolitan who Usurp'd the Jurisdiction by taking upon him the alone Juridical Authority in that Process, in order to the depriving the

Bishop

Bishop of St. David's did not desire proof on which to condemn him, but only wanted something to palliate, and cover his procedure, which his tools might call evidence.

Fifthly, He adds, that it may well surprise and incline all thinking men to believe that matters were not carried very fairly and impartially in the Process against the Bishop, in that of all the 14 or 15 persons, which these Witnesses Swear were Ordain'd on the 24th of September 1693, only two Deacons should be by the Promoter and Agents, produc'd and none of the Presbyters then Ordain'd, should be call'd on to depose any thing in this matter, which looks as if it were believ'd and known, that they would have Sworn to the Bishop's Administring, and their taking the Oaths appointed by Law; and this the Writer of the *View* seems to be sensible of, and therefore endeavours to throw the whole blame on the Bishop, by saying, that he never attempted in the whole Cause, to have any of the rest examin'd; and from thence infers his Lordship's being really guilty of the Crime he was charg'd with; which says our Author, this Writer would never have ventur'd to have said were he not a person of wonderful Effrontery, and a down right *Corinthian* forehead; in that the Bishop desir'd both of the Metropolitan, and the Delegates, that he might be allow'd to produce some of them, which he also offer'd to have done, who would depose and attest his Lordship's Administring the Oath of Allegiance to K. William and Q. Mary, on the 23d of September, and the Oath of Supremacy on the 24th; but he was deny'd by both of them.

Sixthly, He Answers farther that it ought not only to be suspected that what *Williams* and *Harris* depos'd was false, but that it is Morally certain it must be so, in that it had been prov'd that the Bishop refus'd to admit a certain person (known to be pious and learn'd) into the Order of Deacons, though greatly importun'd to it, meerly because of his denying to take the Oath of Allegiance to K. William and Q. Mary, and that his Lordship had likewise refus'd to give his License or Connivence to one who was a Presbyter (and withall, a man of singular worth, and his own particular acquaintance) only because of his being one of those (commonly stil'd) Non-Jurors; which two things being Sworn to, They who consider things without prejudice, and prepossession, cannot but believe that the Promoters two Witnesses swore falsly; and it would be surprizing (if any thing in some peoples conduct could) that the Metropolitan should render the Bishop of St. David's guilty of this *Crimen falsi*, upon the evidence of these two young and ignorant Deacons, when he had the two things before mention'd in proof before him, on the Oaths of two credible Witnesses, who also swore that in both these cases, the Bishop had

declar'd, that the things which had been requir'd of him were such as he neither would, nor could do, in that he was resolv'd to be just to the trustrepos'd in him by the Laws.

P. 417.

Seventhly, He proves by diverse Depositions which he mentions, as full and pertinent to this purpose, and particularly two Witnessess; one of the Bishop's, and the other of the Promoter's own, that the Bishop had at other Ordinations Administred the Oath of Allegiance to *R. William* and *Q. Mary*, and therefore it ought to have satisfy'd the Metropolitan (and if he had been capable either of understanding what was satisfaction, or of receiving it) that it was not omitted *September* the 24th, 1693.

Eighthly and *Lastly*, The more undeniably to shew these Witnesses of the Promoter to be perjur'd and forsworn, and to expose the Writer of the *Viem*, as a person of a very shallow understanding in believing, or a most profligate Conscience (if he did not) in imposing these things on the Reader for truths, which at the Instigation, and on the Subornation of others, these ignorant and mercenary Creatures, contrary to their knowledge were gain'd to swear to: Our Author produces the Testimony of several Eye and Ear Witnesses, who swear to the Bishop's Administring the Oaths on the days before mention'd.

First, The Testimony of one *Mr. Davis*, a very credible person, which he has sworn.

Then he subjoyns the Informations and Testimonies of two other Presbyters, *Mr. Williams*, and *Mr. Herbert, M. A.* who were Ordain'd at the same time with *Williams* and *Harris*, who testify in direct opposition to what those poor weak Deacons depos'd, and diverse others who were then admitted are ready to depose the same, that the Oaths were then administred as above.

P. 419.

P. 420.

To which our Author adds, that he has seen an account under the hand of a very pious and learned divine in the Diocess of *St. David's*, that he had spoke with the aforesaid *Edward Williams* the Promoter's Witness against the Bishop, and produced to him the form and manner of Ordering Deacons, and read the Oath of Supremacy there to him, and asking him whether he had taken that Oath, upon which the said *Williams* confess'd and declar'd to him, that he had taken that Oath; and that his mistake in what he had depos'd, proceeded from his not having before understood, but that the King in the Oath of Supremacy, was mention'd and express'd by Name.

Then our Author lays before his Reader, the Declarations, and Depositions of some that were present at that Ordination, and who as they perfectly understood, what Oaths were at that time, and on that occasion to be taken, so they have with all the Sacredness, as well as positiveness imaginable affirm'd, that every thing was done and Executed which the Law appointed and requir'd; And here.. *First*

First, He recites the Deposition of *Francis Thompson*, D. D. who was present at that Ordination, *September* the 24th. 1693. and several others, who Swear to the Administ'ring both the Oaths: or before all of them.

Then *Mr. Wilfray Piemont*, (who Liv'd with the Bishop Six Years as his Gentleman and Secretary, and particularly was at the Ordination, *September* 1693.) Swears that the Bishop Administred the Oaths of Allegiance and Supremacy, always at Institutions, and Ordinations, and that he never knew any Ordain'd or Instituted, without taking the said Oaths, and particularly that he saw them both Administred to the Persons Ordain'd, *September* 1693. And agreeable to, this is also depos'd by *Mr. Robert Douglass*, who liv'd likewise with the Bishop about a Year and a half; And then both the *Mr. Charles Prices*'s Swear to the same effect, who were present at several other Ordinations, did not think of that of that of *September* 1693.

So that this matter is set in the clearest Light imaginable, and every Reader may now Judge, what portion of Shame and Disgrace, will fall to the share of *Williams* and *Harris*, and more particularly, of the wicked, Promoter, and the Shameless writer of the *View*.

And now our Author says, he is come to the last Stage of the P. 421. Journey, where the Writer of the *View*, charges the Bishop with another Omission, on *Trinity Sunday* 1691 which is Depos'd by *Edmund Meyrick* and *Thomas Powel*. To which our Author replies.

First, In General that whatever these two hopeful sparks, *Meyrick* and *Powel* have Sworn, and the Writer of the *View* has reported on their Testimony, is impertinent, Sophistical, and False, and that there is nothing, save a Complication, of Malice and Perjury in the former, and of Effrontery and Treachery in the latter, with relation to this matter. But more particularly,

First, He desires the Reader to consider, who these two Witnesses are, and to recollect the Characters that have been given of them before, which how Severe soever they may seem, are not below their Demerit, and more modest than they deserv'd, will undeniably appear by what is farther to be said of them. In order whereunto,

Secondly, He desires the Reader to observe, how and in what terms the 20th. Article against the Bishop runs; for the said Article has charg'd the Bishop with omitting to Administer the Oaths, which the Law requires at Collations or Institutions as well as Ordinations. P. 426. Whereas if the Bishop was so much against the requiring and taking the Oaths, as some people have imagin'd him to be, it is much more likely that he would have omitted them at Collations or Institutions, where fewer Spectators were present, than at Ordinations, where a great Number of Persons, Acting, Assisting, or looking on, were always attending; and therefore having already given the Depositions of

several upon Oath, that the Bishop did at all Collations and Institutions, Administer the Oaths, it gives all men of Sense and Probity, the certainty of a Moral Demonstration, that *Meyrick* and *Powel*, (who have before been prov'd to have Perjur'd themselves in several Instances,) have in this also Sworn Falsly, and Perjuriously.

Thirdly, That in the Depositions recited of *Meyrick*, and *Powels*, there's not the least mention of time when, nor of Persons towards whom his Lordship was guilty of the said Omission. And as there-upon their depositions were such as before, either a Wise or an Impartial Judicature, would have been accounted to have affected no man, so the Metropolitan receiving of them, and the Writer of the *View* reporting them, shew us that some People are either very ignorant through Defects in their understandings, or that they are strongly Tainted with Faults in their wills. For it is not only expressly Provided for, in the Rules laid down both by Civilians and Canonists, but it is likewise Universally agreed to, by common Lawyers yea Enacted in the very Statutes of *England*, that all Crimes alledg'd and brought into Process against any one, shall be fix'd to a certain time, when they were Committed, and the Persons individually nam'd, against whom, and upon whom, they were perpetrated, and so to that purpose it is expressly enacted in the Statute of the 37 of *Hen.* 8. and were it not so, it would be impossible for any man, though never so Innocent, to Justifie himself against Calumnious and Malicious Accusations.

Fourthly, He answers that whereas *Powel* Swears to Oaths, in the Plural Number, which were to be Administred in the Office of Ordination, and that both *Meyrick* and *Powel* Depose, that in the Act of Ordination, *Powel* brought the Book of Ordination, and the Oath therein to the Bishop; that it might be given to the persons who were to be Ordain'd, &c. It is worthy of the Reader's Observation; that, as only one Oath was according to Law, to be Administred in the Office of Ordination, and not Oaths, so the said Oath being the new Oath of Supremacy, was not then Printed in the book of Ordination, and consequently that it was impossible that in bringing the Book, of Ordination to the Bishop, the said Oath should be brought therein, whereby it undeniably appears, that both these Witnesses, not only Swore with great inadvertence, and very much at Random, but that they plainly Depos'd, Falsely and Perjuriously. And therefore it must proceed from want of Judgment, or from want of Integrity, that *Meyrick* and *Powel*, come to be believ'd in any thing they said or Swore, and tho' it has been the Bishop of *St. David's* misfortune, to suffer upon their Testimonies, yet the reproach and disgrace, must at last fall to the share of those who have laid his Lordship under sufferings upon their Depositions.

Our Author has yet another Observation to make on this matter, which will make all the Proceedings against this Prelate fall under wonderful disparagements, as well as become Liable to very great censure; and that is, that the Bishop's Enemies, after the Process against him had been held long, and far advanc'd, being made sensible that *Meyrick* and *Powel's* Depositions could not Criminally affect the Bishop, (for the reasons before mention'd) they therefore admitted *Lucy* the Promoter, to bring in an Additional Article, and also allow'd *Meyrick* and *Powel* to Swear it, in which the Bishop's omission is setled to a particular Ordination-day and Person: For having gotten the Name of one *Robert Owen* a Deceas'd Kinsman of *Meyrick* who had been Ordain'd the 7th. of *June* 1691. And having found his Letters of Orders certifying, that he had taken the Requisite Oaths, thereupon both the Promoter formeth a new Additional Article, and the afore-said two Collusive and Perjurious Witnesses, take an occasion of bringing an insignificant and impertinent General, where neither Time, nor Person were mention'd to a fixt day, and an individual man, with an assurance and Impudence, peculiar to the worst of Men.

In Answer to which Depositions of these, our Author observes two things. Whereby not only the Villany of the Bishop's Prosecutors, but the Injustice of him who acted as Judge, will more Evidently appear, and be made manifest. Whereof the,

First, Is, that it is against Law after Articles have been Exhibited divers years, and a Process upon them, not only Commenc'd but almost brought to a Period, to admit the bringing in of Additional Articles; For all the Rules Establish'd by the Doctors do expressly forbid and Condemn it. For which he quotes the Authority of many Civilians.

And how much in avow'd and plain opposition to all Law and Justice, the Metropolitan acted in this matter, will further and more Evidently appear, from a Relation of true matter of Fact, which our Author subjoyns, namely that this righteous Judge the Metropolitan, concluded the Cause before or very soon after the Bishop of *St. David's* knew the Depositions or could have his Witnesses Examined in *Wales*, to prove that he had actually Administred the Oaths requir'd by Law, on the Articled Ordination-day, viz. *Trinity-Sunday*, 1691. And tho' the late Lord Chancellour *Sommers*, had declar'd in the House of Peers, that the said Prelate should have Liberty to prove, and alledge what was omitted before the Delegates, divers of those who were appointed Judges Delegates refus'd to admit his Allegations, or to examine the Witnesses his Lordship offer'd to produce, to prove his Administring the Oaths as aforesaid.

And now to draw to a Conclusion of this matter, and Sum up the Evidence, on the one side there is no Testimony whatsoever, of *Robert Owen*, that he had not taken the Oaths at his Ordination on *Trinity-Sunday 1691*. but the whole pretended to be in Proof is, that two known Sophisters and Juglers, and the Bishops malicious and profess'd Enemies, having found the Letters of Orders, granted by the Bishop to the said *Robert Owen*, the two aforesaid men of Artifice and Deceit, did thereupon take an advantage of Forging Depositions, wherein they affirm, that the said *Robert Owen*, (who was not Alive to contradict them) had not taken the Oaths requir'd by Law, when he was Ordain'd. In Opposition to which our Author declares.

First, That *David Philips* and *Atkin Williams*, who were Ordain'd on the same *Trinity-Sunday*, with *Robert Owen*, have both positively asserted, and offer'd to Depose upon Oath, that the Oaths which stand Enacted by the Statute of the First of *William* and *Mary*, were at that time administred by the Bishop, and taken by them and also by, *Robert Owen*, to which he withal Subjoyns,

Secondly. The Testimony upon Oath, of *Samuel Williams* a Worthy person who was Ordain'd likewise at the same time, by which all who are not through prejudice and Obstinacy uncapable of Conviction, may be fully ascertain'd, that *Meyrick* and *Powel* Swore in Construction Perjuriously, and with design Sophistically.

P. 423. And now the only thing left to be taken Notice of, in the *Summary View* is, that the Writer of it declares, that the Bishop told *James Harris*, that he had never omitted the giving the Oaths but once, and that when he Ordain'd for another Bishop. To which our Author Replies.

First, That the said *James Harris* has been made appear, to be too Infamous for any one of common Sense to stake his Credit, as an Historian, upon any thing that Fellow Deposes.

Secondly, That the time refer'd to is, when the Bishop of *St. David's* did Ordain in the behalf of the late Reverend Bishop of *Ely*, *Dr. Turner*, whilst he was under Suspension. And that it is a very Modern Practice to give the Oath of Allegiance at any Ordination whatsoever, for as the Bishop of *St. David's*, neither took nor was requir'd to take the Oath of Allegiance, at the Office of Ordination, when he himself was Ordain'd Deacon, Priest, and Bishop, so during the time he was Bishop in the Reign of the Late King *James*, he never Administred it to any one whom he Ordain'd. And 'tis reasonably suppos'd that his most Malicious Enemies, will not accuse him of being Guilty, of any omission of Duty to that King, which his Lordship was by Law oblig'd to; and yet he never forbore in that Reign to Administer the Oath of Supremacy in the Office of Ordination, though in the Opinion of some, he could not be reckon'd to make his Court by so doing.

Thirdly,

Thirdly, At his Lordship's Ordaining, in the First year of K. William and Q. Mary, for the Bishop of Ely, in the County of Cambridge, he was pun- p. 437.
ctual in giving the Oath of Supremacy to those, whom he then and there Ordain'd; so that in Case he had omitted at that time, in that place, and upon that Occasion to Administer the Oath of Allegiance (whereof there is not the least Sillable in Proof in all the Process) yet it could not be accounted a Crime, and much less, said to be done *Dolo malo*, which (as has been Intimated before) must always attend the *Crimen falsi*, and the utmost therefore that Malice it self, even when accompanied with Ignorance (for these two are Allies in most private Confederacies) can make of it, (supposing it had been so, which does no way Judicially appear) was only that his Lordship had made a false step before he was well got into his New Trammels, and that he retain'd something of his Ancient Mumpsimus, after the Modern Sumplimus was come into Fashion.

To which he adds a Remarkable Story of the present Bishop of Sa- rum, which may be found, [To which may be added a Story of another Nature, to be found. p. 437.

Our Author now being about to bid Adieu to the Writer of the View tells his Reader, that he has made that Writer appear to be, instead of a True Reporter of matter of Fact (which he professes to be) a very Unfaithfull and Treacherous one; and that in the place of relating things Impartially, he has demonstrated his having given only what was said against the Bishop, without vouchsafing to acquaint his Readers with what has been said, and in proof for him, and has likewise through this whole discourse shew'd that. p. 245, and p. 246.

—Multi
Committunt eadem diverso Crimina Fato.

To which he adds that if the Writer of the View thinks fit to reply, he here promises to rejoyn upon him, which is the last of his Book. p. 438.

And thus I have finish'd this short Abridgment of the *Large Review*, which might have been shorter yet, if I had not thought it Requisite in most places to keep exactly to the Words of that Author. I think I have not left out any Considerable Passage that was necessary to be taken notice of; Though there is enough left to Entertain the Inquisitive Reader. Upon the whole I doubt not, but what is found here, will be sufficient to give all who Read it, a Just Idea of the Promoter, Witnesses, Judges, Attendants, and every Person and thing concern'd in the whole Procedure against the Bishop of St. David's: And if there has been any Wisdom, Justice, Honesty, Integrity, common Decency, or common Humanity, made appear in the Managers, or Management of this Whole Process; The Reader can't chuse but find it out, and know where, and upon whole Score to place it. p. 439.

For nothing is more Reasonable than that every one should have their due, which therefore, at one time or another, will certainly be paid them.

25 April 1703.

C. II.

Deus dabit his quoque suum.

The

Two Schedules of Accounts mention'd p. 34. and refer'd to the Appendix following.

Schedule A, settled and past August 5th, 1691.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Impr. A Bond of 80 l. for Payment of, 40 l. and Interest from } May 1681. _____	064	00	00
Item, Lent for Journeys to Bugden and Peterborough, for } Orders _____	005	00	00
For his Master of Arts, Degrees, and Gown _____	018	00	00
Paid for his Board Six Months _____	006	00	00
Item, for first Fruits of Livings and Prebends _____	045	19	11
Paid Mr. Dowglass by Mr. Medley's Order _____	001	05	00
Item, to Mr. Lambert at Hull _____	010	09	09
Paid his Taylors Widow _____	006	02	06
Item, Mr. Rowland's Bond of 77 l. and Interest from January } the 2d. 1688. _____	006	00	09

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The Schedule B, which was settled Sept. 21. 1695, followeth.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Paid for Tenhs _____	004	14	08
To himself at several times _____	059	08	04
Paid his Mother by his Order _____	122	05	10
Paid for the first Fruits of the Arch-Deaconry and Prebend of } Llangamarch _____	082	17	02
To his Brother Pryse his part of his Sisters Portion _____	100	00	00
To his Brother Powel part of his other Sister's Portion _____	124	00	00
Two Years Synodals _____	005	00	00
A Cloath Gown, Cassock, and Carrier-box _____	007	15	00
	505	15	08
	242	07	05
	748	02	10

F I N I S.

E R R A T A.

PAGE 5. l. 9. r. Giffith. p. 9. l. 16. r. Scholar. l. 30. r. Parsonage. p. 13. l. 20. r. Llangaddok. p. 14. l. 2. r. directly. p. 14. l. 35. r. Bishops. p. 16. l. 11. r. Notaries. p. 17. l. 8. dele as to. p. 23. l. 13. r. Prebends. l. 19. r. Gratsfull. l. after, livings an, add Prebends. p. 28. l. 37. dele as. l. 43. r. Careffing. p. 30. l. 12. r. Neeeces. p. 32. l. 11. dele not. p. 47. l. 13. for me. r. he. penult dele in.

THE
BISHOP
OF
St. DAVID'S
Vindicated,
THE
AUTHOR
OF
The Summary View
EXPOS'D,

His *Post-Script* Answer'd,
And the *Letter* to a *Peer* Defended.
By way of Free Conference between Two Bold Britons.

In Five PARTS.

Χρὲς πρὸς τοὺς Διαβολὰς μὴ ἀπο σιωπᾶν ἵνα μὴ συγχάρεσθαι ἐν ὧ-
σιν ὁδοῦναι τῷ ψεύδει καὶ τὰς ὑπὸ αὐτῶν ἐνδὲς μὴ ἐναρπάξαι τὴν βλάβην.
S. Basil.

*Hoc quoque difficile fuerit, sic de illo mentiri, ut aliquam veri
faciem haberet Mendacium.* Erasmus.

*False Witnesses did rise up against me, they laid to my charge things
that I knew not. They rewarded me evil for good. Psal. 35. 11, 12.*

LONDON: Printed in the Year 1705.

E R R A T A' s.

PAg. 8. read *Majus*. p. 41. r. *Prebendary*. p. 59. r. 14^l. p. 62. r.
40s. f. *his* r. *thy*. f. *Gynn* r. *Gwynn*. f. *talls* r. *calls*. f. *Trick* r.
Tricks. p. 67. l. 3. r. *Treflear Bettus*. p. 73. f. at r. of.

To the READER.

When Innocence is openly Traduced by a bold Calumniator, and the World impos'd upon (in a Matter of great Importance) by a Narrative as false as the Father of Lyes could suggest; when a Reverend Prelate of the Church, after having been Stript of his Episcopal Habit and Dignity, is undeservedly Cloath'd in all those ill Qualities which are enough to render not only Him, but (perhaps) the Order, Odious and Contemptible; when a Mercenary Babler who liv'd, not long since, by setting his Lungs and Conscience to Hire, cannot rest satisfied in the Wages of Iniquity, but after all his malicious Prating in the Court of Audience, dares to Slur his Sophisms and Slanders upon the Common Sense of a Nation, and to put up for an Author: What Man that has a love for Truth, a regard to the Rights of Episcopacy, or any Bowels of Compassion for the Injur'd, may not justly take the Liberty of Correcting and Chastising so impudent and infamous a Scribler.

How well this is done in the following Dialogue, thou thy self, Gentle Reader, mayst freely Judge. If the Bishop's Advocate has not urg'd all that might have been said in His Lordship's Defence, 'twas to avoid Tedioufness: but this the strictest Observator must needs own, That not only the pretended Proofs, but also the spiteful Insinuations, and sly Representations of Matter of Fact, together with very many Impertinencies of the Author of the Summary View, are all produced in their full Strength and Proportion; so that that worthy Dr. (whatever other Omissions there may be)

To the READER.

le) will have no reason to object that his Talent, his topping Qualifications are concealed.

As for some hot Words which thou wilt find pass'd and repass'd in this Conference betwixt the two Sons of Levi (for they were both of them Parsons) I am not bound nicely to account for their way of Management; we Welshmen are naturally Warm, and if the Phlegmatick and Moderate think them to have been too Brisk, they must with the rest of our honest Countrymen plead the Influence of the Climate they were Born in, and the innate Vivacity and Vigour of their Constitutions.

Should thou, good Reader, be so very inquisitive as to desire to know the Names of these two Polemick Divines, I must yet a while beg thy Pardon. The first Letter of each is enough at this time. And tho' he who Personates the Accuser might perhaps have his better Zeal rewarded with a Benediction, if not Preferment; yet he has given his Verbum Sacerdotis for it, that he won't blab; and has withal laid very strict Injunctions upon me that no Discovery shall be made, lest his Old Friend should be brought into their Modern Limbus Patrum, where one Father of the Church is heavily Tormented, and from whence another escaped, yet so as by Fire,

The late
Bishop of
Sr. Asaph.

All that I am to answer for, is the making this Complement to you, and the sending these Sheets to the Press; both which Actions of mine, when I am Tax'd with any thing of Indecency or Injustice, I will in due Time and Place defend. 'Twas a Trust repos'd in me by Consent of Parties to Usber their Thoughts into the Publick; and because a Book without a Preface, or something like an Epistle before it, would be very Unfashionable, I have therefore offer'd at this piece of Ceremony: And now I shall leave thee to the Diversion which the following Papers may afford.

Farewell.

THE
BISHOP
OF
St. DAVID'S
VINDICATED,

By Way of Free Conference, &c. Between M——
and Ll——

PART. I.

Whatever Coldness or Heart-burnings the late unhappy Contest betwixt the Bishop and *Lucy* might beget amongst some of the Clergy of the Diocese of *St. David's*, yet these Two having been School-fellows together from their Childhood, Contemporaries in the University, and afterwards Providentially Preferr'd in the same Neighbourhood: The Acquaintance so early began, was thro' the succession of many Years grown up to so firm and inviolable a Friendship, that tho' they were of different Parties in the Ecclesiastical Quarrel, and had now and then some warm Words about the Merits and Demerits of that

B

Cause

PAR. I. Cause, yet they always took care to part in a good Humour, neither of them being so fond of his Opinion as to lose his Friend in the too eager Defence of it: Every Week (according to an old kind Custom still kept up betwixt them) they duly met, as the turn happen'd, at one or other of their Houses; where, after the Salutations common betwixt Friends, or some little Talk about the Publick News, 'twas their way (unless other Company came in) to fall upon some Subject suitable to their Profession and Course of Study, using the utmost openness and familiarity, as being well assured of each other's Sincerity and Secrecy. The Day that the Conference happen'd, Mr. *Ll.* happen'd to out-stay the Hour appointed; but afterwards making his Appearance, Mr. *M.* goes up to him, and as he alighted thus Addresses him:

M. O, Sir, you are come at last, I was half afraid you had forgot the Day: This I'm sure of, you did not at all consider how tedious the Hours of Expectations are.

Ll. I own I have slipt the time, but when you know the Cause, I am confident you won't blame me.

M. The Weather is too Cold to listen to Apologies without Doors.—Here, Boy, take his Horse,—Come Friend, sit thee down in that warm Corner, and here I'll place my self over-against thee.—Well! What made you stay so long? It made me very uneasy, and in a Civil way I must have Satisfaction.

Ll. Why then, the Matter, in short, was this; A Brother Clergy-Man called upon me just as I was putting on my Spurs, and tho' his Business was not great, yet I could do no less than offer him the Civility of my House and Company; had it been another Day, I should have importun'd him for more of his Conversation, but remembring our Appointment, I let him go upon the first Motion, and made as much hast toward thee, as if I had been Riding for Preferment.

M. That's something of an Amends, but it would have been kinder still, if you had brought your Friend along.

Ll. It would not have done so well as you imagine, there would have been no Musick in such a Consort, for you and he would presently have been jarring upon the old Thing, the Case of your so much ador'd Diocesan.

M. Nay, if he were a Zealot the other way, 'tis as well you shook him off. Prithee who was it?

Ll. You shall know before we part, but for a certain reason I won't tell you yet.

M. Well

M. Well, what News did he give thee? You have it all on PAR. I.
your Side now.

LI. Not much, only he Lent me a Book which is new to me, tho' it has been some time abroad.

M. Some of the Works of the Learned? Or some of those Ill wrought heavy Pieces which are at once an intolerable Load and Scandal to the Press.

LI. I don't know what you'll say of it when you see it; but so far as my Understanding serves me, 'tis closely Writ: The Author has always his Subject in his Eye, and makes out what he pretends to prove as plain as Demonstration.

M. Then 'tis none of Dr. Wake's late Performances, nor the Handy-work of your Friend the Article Mender.

LI. No, to stop your Mouth, 'tis Writ by a very Eminent and Learned Civilian, one that handles our *Quondam* Bishop at another sort of a Rate than you or any Body else can presume to Manage; Mr. Dean, or the Rt. Rd. of S—r—m, I have brought it along with me, will you give it the Reading?

M. With all my Heart, and if he fairly vanquishes the Bishop, I'll freely give him the better of the Day, and place my Canonical Obedience elsewhere; but as yet (under the Rose be it spoken) I could never hear either Law or Reason for the Usage which that Prelate has had at *Lambeth*.

LI. Then here is both, here is what will Convert thee, and make thee one of Us.

M. What's this? *Homer's Iliads* in a Nutshell? *A Summary View of the Articles Exhibited against the Bishop of St. David's, and of the Proofs made thereon.* Sixty Pages in *Octavo*, in a pretty large Character, and a Margent as broad as one of the Flaps of my Band: If he fairly states the Case on both Sides, and upon full Proof leaves the Bishop under Condemnation, I shall own he has a very Concise way of Writing.

LI. What need is there of that? He only lets the World see what was made out against the Bishop; you, or any of his Friends may answer it if you can.

M. All in good time, Friend, all in good time; but had he impartially given the Substance of what the Bishop's Witnesses Deposed in his Lordship's behalf, he might have saved us the labour. 'Tis not my way to judge of Books before I read them; but let me tell you, this halving of the Matter carries in it an Air of Partiality.

PAR. I

Ll. Then according to your Principle, read first; unless you meet with some Stumbling Blocks, you may quickly run it over. My Friend and I this Morning went thro' it distinctly in an Hour, and had many a piece of good Laughter as we passed along.

M. Prithee shew some of those Comical Touches, that I may Laugh a little too, if there be any thing of a True Jest.

Ll. O, Sir, you have such a tenderness for the Bishop, that what moved our Risibility, may put you upon the Grin another way: My Author is not very lavish of his Wit, but discreetly interperles it here and there, as he sees occasion; you must take it, Sir, as it comes, by way of Refreshment; but if you are eager for a Taste, look over the Authority in the † Title Page, and see how he *Whisks* your Curmudgeonly Bishop, the Miser in the Play.

† Erant
in eo multa
vitia sed se-
recorum om-
nium son- &
fomentum
Avaritia.
Humana ei-
nim & Divi-
na cuncta, u-
bi emolumen-
ti ac rerum
aliquid au-
ferri potuit,
contempsit.

M. Give me leave to read it before you make your Comment. *E-rant in eo multa Vitia.* I never heard any one before that durst Tax his Morals. *Sed fere eorum omnium fons & fomentum Avaritia.* As true as the former: No Man upon a just Charitable or Pious Account being more ready to part with his Money. *Humana enim & Divina cuncta, ubi emolumenti ac rerum aliquid auferri potuit, contempsit.* According to this part of the Charge, a Man would be apt to fancy this same *Tho. Menev.* to have been a down-right Church-Pirate: For had he seiz'd the Communion Plate belonging to his Cathedral, and Sacrilegiously perverted it to his own Use. Had he been the vilest Broker that ever made Bargain in, or had been Whipt out of the Temple. Had he Sold all the Livings in his Disposal, at as dear a Rate, as a certain Prelate (not many Years ago) Farm'd that *Sine Cure* his Diocese; What worse could have been said of him?

Ll. Go on, and you will find he has done full as Bad.

M. If you won't think your Coleworts twice Boil'd too Course an Entertainment, you shall take the Author and rehearse out of him, and I'll either fairly Respond or Yield.

Ll. A Match, give me the Book, I'll be so faithful I won't miss an Iota.

M. You need not be so very exact as to repeat verbatim, I doubt not but you fully understand his Meaning, and I'm sure you know well enough how to Manage an Argument; wherefore give only the Substance, unless where a Quotation at full length is necessary.

Ll. So let it be; but I would gladly read the Preface to you, Word for Word, because there is not a Line in it which is not worthy of your serious Consideration.

M. Read

M. Read it then.

LL. So remarkable an Instance of Ecclesiastical Discipline and Jurisdiction, as the Deprivation of a Bishop by his Metropolitan, has made the World, and my self in particular, very much Inquisitive, and desirous to know what those Crimes were which should deserve so Severe a Punishment. Having gratified my own Curiosity, I thought it would not be unagreeable to others, to give a present Satisfaction in that Particular, till a more proper Time and Occasion shall require a more compleat Account of the whole Proceedings: For which reason this Summary View is made Publick, where are fairly represented the several Illegal Practices wherewith the Bishop of St. David's was charged, and their respective Proofs upon the clearness and strength of which his Grace the Arch-Bishop of Canterbury.

M. Hold a little, *The Deprivation of a Bishop by his Metropolitan*, is so very remarkable an Instance of what he calls Ecclesiastical Jurisdiction, that we have not any thing like it (approv'd of) in Church History; and tho' your Author has (as he says) satisfied his own Curiosity, yet there are † those, who it seems are much more Curious than his Worship; who do in words at length boldly Assert, that his Grace has no such Power; and therefore unless your Champion can uphold, and does maintain his Grace's Jurisdiction as to this Point; I won't give a Fig for his Libel, let it be fraught never so full with Articles and Allegations: For had very Ill things been prov'd against the Bishop of St. David's (which by the way I do not believe) yet if the Court where he was Condemned has no foundation according to the Constitution both in Church and State; if there be no Law, Statute or Canon, no allowed Precedent for such a Procedure, why then this Dr. cannot give what he calls a present Satisfaction, to any duly inquisitive Reader.

† See Pref.
and Post-
script to the
Bishop of St.
Asaph's Case.
Letter to a
Peer, &c.

LL. 'Tis a strange thing that thou wilt not hear me out. 'Twas not the Arch-bishop himself that did it, but his Grace Assisted with several of the Bishops of the Province, did on the 3d. of Aug. 1699, Pronounce a Sentence of Deprivation against him.

M. According to this Account of that Day's Proceedings, it looks as if all the Bishops that Heard the Cause, had concurr'd in the Sentence.

LL Did they not?

M. No Sir. The Bishop of *Rochester*, when he saw what the Design was, prudently withdrew: And the Bishop of *London*, tho' he staid it out, yet Declar'd that the Proof did not come up to the Height of the Accusation: but that some other Sentence ought to be Inflicted, and not Deprivation.

LL. Then.

PAR. I.

LL. Then you own that the Bishop was Culpable, and Deserv'd Punishment, even in the Opinion of the Right Reverend Father in God that Favour'd him.

M. Look you Friend; tho' that same Prelate is one of the most Apostolick Men, that we have amongst the Mitr'd Fraternity, yet the Gift of Discerning Spirits, of seeing into and thro' Men upon Occasion, is long since extinct. The Witnesses, as in *Naboth's* Case, had Sworn lewdly, and that Lord's Opinion might be grounded upon a Belief, that the greatest Part of what they swore was true: Whereas, *I question not*, but it will appear before you and I part, that *Ireland*, as Infamous as it has been for Rearing of Witnesses, never Exported such a wretched Crew, as we shall in this Case (with Shame be it spoken) find in our own Country. But to go a little further with you. Had all those Bishops whom his Grace call'd to his Assistance concurr'd in the Sentence, yet by all the Stated Rules of the Christian Church, and the Practice thereupon, they were too few. The Bishop of St. *David's*, had he been Guilty, ought to have been Sentenced, either in a full National Synod, or else 12 Bishops at least, *ought to have sat along* with his Grace, in Case that great Metropolitan had design'd to proceed Regularly, and according to Primitive Laudable Examples.

LL. And have you got hold of that Stale Notion, Broach'd afresh by the Author of a Letter to a Peer, concerning the Power of the Metropolitans over their Comprovincial Bishops? My Dr. accounts with that Pamphleteer by way of *Post-script*, and makes a very Ass of him.

M. I rather suppose, that by meddling with a Subject far above the Reach of his Understanding, he himself will appear according to the old Adage, *Asinus ad Lyram*. But since he pretends to handle that Point by its self in the Close of the Book, we'll leave it to the last, tho' it ought first to have been made out and clear'd.

LL. No. I have something more to say on that Head: The Legality of the Bishop's Deprivation: For this very Sentence denounc'd by his Grace was on the 22th of February following, Unanimously Confirmed by a very full Court of the King's Judges, Delegates, upon the Bishop's Appeal. So that whatever Objections you may pertly start against his Grace's Jurisdiction, yet their Authority was and is Indisputable.

M. We do not find it so. For tho' they declar'd his Lordship Depriv'd both of Spiritualties and Temporalties, yet he nevertheless keeps to this day Possession of the Palace, Palace Lands, and College

College near Brecon, and is in a very fair way of having the Legality of the one Sentence and the other Examin'd before that Honourable and August Assembly, where he once had the Honour to sit himself, and from whence he is not so irrevocably Excluded, as you may fancy. That Grand point in this Controversy is still in Debate, and therefore all that you can Infer from the Resolution of the Delegates *is no more than this*, that so many Persons were at that time of Day of that Opinion, who, upon a full Re-hearing of the Cause and second Thoughts, may (as other good and wise Men have done) think fit to alter their Judgment.

Ll. Never so long as the Bishop lies under the Weight of those many Scandalous Imputations, which this very Author fixes upon him.

M. He fix! How comes he so intimately privy to the Affairs of our Diocese, and the Bishop's Conduct.

Ll. Has he not already told you, that he was very Inquisitive to learn what the Bishop's Crimes were; *And here he further Informs and assures you, that in the following Account, he is not Conscious of having introduc'd any thing as Proof, but what is taken from the Depositions of the Witnesses Examin'd upon their Oaths.*

M. He has already shewn so much Spleen and Partiality, that I won't take his Word. I know what was deposed (perhaps) as well as he, and shall admit of nothing but *Positive Proof*.

Ll. *Won't you allow him those few Inferences and Presumptions which are Occasionally added?* He hopes they won't appear either Forc'd or Unnatural.

M. 'Tis downright Presumption in him to offer it. He pretends in the Title to give Proofs, and let him keep to that Work: As for Inferences, if the Premises be Sound and Firm, the Reader may easily frame them to himself. 'Tis not his Business to Lead or Impose.

Ll. *They were only design'd and thought Necessary to ease and refresh the Reader under long Narratives of Matter of Fact, to illustrate and Correct, but not to Aggravate them.*

M. 'Tis much to be suspected that he has some ill Design, which had he Art enough, he would thus plausibly cover. But as ill Luck would have it, the weakness of the Apology, is Betray'd by the very *Book it self*; which is so very short, that Refreshments of this kind must be altogether Superfluous and Unnecessary, unless to weak and wandring Heads, that cannot bestow an Hour's Attention upon the most weighty Subjects. *Then again.* As for that other part of his Pretence, the illustrating of the Matter, there's

PAR. I. as little Need of that, if the proofs be as they ought to be, plain and Convincing. Had he said that his Narratives were dry, Infipid, frivolous, and remote from the purpose: That they did not directly, but by a long Train of Consequences affect the Bishop, then to promise Diversion and Illustration would be no less than a *necessary Encouragement to the Reader, but to tell us of long Narratives in a Summary View*, and Illustrating proofs, is Solecism and Non-Sense.

Ll. You're very Captious.

M. Only Cautious, as a Man ought to be, who has such a Slippery Chapman to deal with.

Ll. If this be your Humour, I suppose you'll be further still from permitting him (without Disturbance) to bring in some little Stories concerning the Bishop, which, tho' they do not carry in them any thing Criminous, yet Render the other things Alledged, more probable.

M. Why should I? Or why should he attempt it? What signify little Reports of what he said, she said, or the other said or swore, if not to the Purpose: But let's hear in his own Words what he wou'd be at.

Ll. If, says he, *some of the Bishop's Actions* herein set forth, shall seem not worth the remembring——

M. Then why should they be recited?

Ll. Be quiet, — *or not to deserve the Name of Criminous, yet even those will make the Proofs of the more Infamous Practices charged upon him, the more easily believed.*

M. Not to insist at large upon what I just now hinted, and what the World will expect in this Case, that the Proofs be in themselves Plain and Convincing, and then there will be no need of little Artifices to make them pass upon the Judgment and Belief of the Reader; for what firmer Attestation can we have of any thing in a judicial way than Oath and Depositions; or what can more easily or firmly gain Assent than such Sacred Assurances; if the Deponents be Men of Credit and Veracity, and Swear with any tolerable Appearance of Truth or Probability. Not to insist solely I say upon the Strength of this Argument, which sufficiently exposes the Frailty of your Author's Reason; let me add *ex abundanti*, that there's no Logick, no Christianity, in this Inference of his. We, if I mistake not, were Taught in *Oxon*, that a *Minori ad Magis non valet Consequentia*, and St. Paul tells us, *† that Charity believeth all things for the Best, sure not for the Worst*, where there is room for a favourable Construction. — What then,

it

if the Bp did make some small Mistakes, or (who has not) some personal Failings; will the exposing of those, induce any Good or Reasonable Man the more readily to believe those Heinous Crimes whereof he is Accused? Prithee lay aside Partiality and Prejudice, and give thy own Sense in the Case.

PAR. I.

Ll. Take his Reason instead of it: *For*, says he, *when People see a Rich Man will sordidly Transgress for the getting a few Pence, they will naturally infer, that where there is a greater Temptation, he will hardly be Proof against it.*

M. As for Instance, suppose a Wealthy Tradesman takes the Advantage of my Ignorance or Credulity, and Sells me a Commodity 12 *d.* Dearer than 'tis really Worth, therefore should he be Accused of Robbing upon the High-Way, Burglary, Sacrilege; I'd the more easily believe him Guilty, tho' the Proof were not full against him. There is, Friend, such a thing as Punishment in this World, the Apprehensions and Dread of which may deter those from the Commission of Heinous and Capital Offences; who yet may have no more Grace than to Play at the smaller Games of Commutative Injustice, which bring them under no Temporal Penalty.

Ll. Is it so, that you Design to Defend your Bp against Accusations of this sort?

M. Mistake me not, good Sir, the Bp is no way concern'd in the Application; I'm only *Illustrating* the Fallacy of your Author's pretended Reason, and must farther tell you, no one but a Hobbist, who believes that Men in a State of Nature hate one another, would call his a *Natural Inference*.

Ll. The Dr. is oblig'd to you.

M. And I'll own my self very much oblig'd to you and him, if you'll be pleas'd to inform me how the very same things should be Sordid Transgressions, and yet not seem worth the remembring; nor seem Criminous. According to common Usage, and more particularly in a Religious Sense, *Transgressions*, and *Sins*, are Synonymous Terms; and sure those that are sordidly so, might well seem, and necessarily must appear Criminous to any one that is not Weak or Dark in his Understanding. — How notable soever your Dr. may be at telling a Tale, or Transcribing, yet 'tis manifest his Talent does by no means lie in Arguing or Framing Conclusions. I'll off hand give you one much Stronger than this you have produc'd, If I find an Author in the very Preface running contrary to the known Rules of Reason and Charity, there is good Ground to conclude that the Book it self is a Bundle of Calumny and False Consequences.

C

Ll. I

PAR. I. *Ll.* I am just entring upon it, and shall convince you of the contrary.

M. Does your great Dr. condescend to observe any Method?

Ll. O very nicely; but before he comes to lay down those several Heads which he powerfully enlarges upon, he by way of Exordium or Introduction shews you, that tho' your Diocesan had been instructed at his Consecration, that a Bp should not be greedy of Filthy Lucre, but abhor Covetousness; yet at his first coming down into the Diocese, he Declared *that it was a Poor Bishoprick, but that he was resolved to get Money one way or other: So Peter Lewis,*

The Promises 44 Wat- one of the Vicars of St. David's testifies, *The Tutor had long pursued*
negd. *that Rule, and the Bp so resolutely adhered to it, that its Pernicious*
P. 1. *Effects appear'd in every part of his Episcopal Administration.*

M. Does Peter Swear all that?

Ll. No, the Parallel betwixt the Tutor and the Bp, is an Ingenious Stroke of the Author's own Pen, whereby he prettily connects the subsequent Practise of the Prelate, with the foregoing Disposition of the Dr.

M. Before we take the Deposition it self into Consideration, pray tell me what Grounds he has for Defaming the Tutor? For by the Pernicious Effects of that Covetous Humour, which he represents as Habitual in the Bp; one would suppose Dr. *Watson*, whilst in College, had been extremly Avaritious and Mischievous.

Ll. That I presume is so notoriously known, that no body doubts of it.

M. You presume! Ay, and this is one of that Author's Presumptions, which he would excuse in the Preface; but which has so much Impudence, Falsehood and Malice in it, that such a Scurrilous Scribler ought to be the common Scorn and Contempt of Mankind. Does the Reader so very soon need a *Refreshment*? Sure the Dr. design'd this Famous Tract for those that rejoice in *Iniquity*, and therefore begins with a *Lye*.

Ll. Do you think that he would have alledg'd any thing of this kind, if he had not good Authority for it.

M. Authority for it! — Why I am Morally certain of the contrary: For tho' Dr. *Watson* had a great many Pupils under his Charge, and consequently vast Sums of Money pass'd thro' his Hands (neither of which would have been entrusted in a well-govern'd Society to a Notorious Knave, the Pernicious Effects of whose Covetousness were apparent) tho' during his long Continuance he was twice chosen Steward, and thereby had the Manage-

Management of the Money Concerns; yet it was never Charg'd upon him that an Unjust Penny stuck to his Fingers, but on the contrary he fairly acquitted himself to the Good of his Pupils, the Satisfaction of their Parents, and the Credit of the Society. PAR. I.

Ll. How came you so well acquainted with his Character, who never saw that University?

M. What if I did not? yet I have been well acquainted with Persons of Worth, who were of the very same Foundation with his Lordship, and they unanimously Represented him as one who liv'd creditably, entertain'd generously; a careful Inspector into the Manners and Behaviour of his Pupils, and a constant Reader to them in all the necessary Part of *Learning* and *Philosophy*; a faithful Accomptant as to their Disbursements, and what is more, that no one in those Days, sent forth a greater Number of Accomplish'd Men to do Laudable Service, both in Church and State: And since I have the Testimony of Two or Three Credible Witnesses in behalf of the Bp, I cannot otherwise than in a just Indignation, Tax thy Author as a Foul Mouth'd Calumniator, and do Challenge you, him, or any Man of Reputation, to make out the Charge laid against him in this Capacity.

Ll. Perhaps my Author might be misinform'd as to the Tutor, but as for the Bp, he was the Sordid'st Wretch that ever wore Lawn-Sleeves. What say you to the Deposition? That shews his Lordships Resolution with a Witness!

M. Produce another to back his Testimony.

Ll. Why so?

M. Because a Canon in Scripture so requires, *Against an Elder* 1 Tim. 5. 10. *receive not an Accusation, Unless it be testified by Two or Three at the least.* Εὐτὸς ἐστὶν ὡς As the Learned Dr. *Hammond* unexceptionably explains those μὴ ἐπὶ δύο Words. The Privilege, and Equity and Authority of which Sacred Rule I the more stiffly insist upon in this place, because both μαρτύ- in the † Title Page, * and here, as the Bp of *Sarum*, one of the *Assessors*, did; you make Covetousness the Root of those very Ill Things you pretend to Charge the Bp with. What *Lewis* here Deposes, is by your Author look'd upon as a Fundamental Article; by the Strength of which 'tis design'd to support the Credibility of those Infamous Practices, wherewith you Scandalize the Bp's Administration and Conduct. 'Tis the great Corner-stone on which you pretend to Raise a weighty Pile, and therefore if you have any regard to the common Rules of Art, and more particularly to the Canon of Holy Writ; this ought to be well fixt, otherwise the Foundation is naught, and you can ex- † Sed fere omnium eorum sons & formentum Avaritia, &c.
* Its pernicious Effects appear'd in every part of this Episcopal Administration, &c.
P. 1.

PAR. I. *pect* no other, but that what you build upon it will come about your Ears.

Ll You are out, grave Sir, in your Application, how true soever your Exposition of the Text may be. We can prove a 100 Instances by 40 Witnesses.

M. When you have done that, then Charge the Bp as severely as you please but in the mean while this single Suspicious Testimony of *Lewis's* serves for nothing, but to give your Author an Opportunity of shewing his Indiscretion in relying too much upon it, and his Malice in improving it, if he could, to the Dishonouring and Defaming of the Bp.

Ll The thing is true, tho' it does not judicially affect his Lordship, you have no Exceptions to *Lewis's* Veracity.

M. Yes, that I have, and very considerable ones too. At what a strange Rate did he both Swear and Lye about the Palace Lands? What regard had he to his Oath, or the Majesty of the God of Heaven, when he stands recorded to have Sworn Contradictions as to the Fees paid for Collation, &c. Besides, were nothing more to be objected, what he Swears is so very improbable, that no one who considers all Circumstances throughly, can give Credit to it.

Ll How so?

M. The Bp at his coming down, tells *Him*, that it was a Poor Bishoprick, and that he was resolved to get Money by it, one way or other. Was this spoke in Publick or in Private?

Ll Publickly I suppose.

M. if so, how comes it to pass no other Person then present did hear it besides him?

Ll The rest of the Company might not mind what his Lordship said.

M. That's not to be supposed, for we all know how narrowly he was observed, as being a perfect Stranger. Can any Man believe, that either those who came to Complement his Lordship, or to make their Remarks (as many did) would have so little good Manners or Sense, as not to regard his Discourse. This Declaration that *Lewis* Swears to, was a very remarkable one, if true, and would have startled, if not offended, all that were within the sound of it. If thou wilt not suppose with Charity, yet do it with some shew of Reason, and a decent Respect, to the Breeding and common Understanding of our Country-men.

Ll Perhaps then it was dropt by the Bp in some private Talk betwixt them Two.

M. That's

M. That's still more incredible, for 'tis well known that the Bp, upon his first Appearance at St. *David's*, the place of *Lewis's* Residence, staid there but Four Days, Two of which were mostly spent in Confirming great Multitudes that Throng'd in upon him; other Bps, his Predecessors, having not been so very diligent in that part of their Duty (where, by the way, observe that the Bp got nothing by that Performance, tho' your Author has the Face to say that the Pernicious Effects of his Covetousness appear'd in every part of his Episcopal Administration) but to go on, Two Days, or the greatest part being devoted to so Solemn and Sacred an Office, and the Remainder of those and the other Two taken up in the Receiving, Entertaining and Dismissing those of the Gentry and Clergy that came to pay their Duty to his Lordship, what Time or Room; more particularly, what Temptation could the Bp be supposed to have, privately to withdraw himself from all this good Company, to beget this wonderful Familiarity with one of the Inferior Clergy of the Diocese? Did the Bp, do you think, fall so dotingly in Love with him at first Sight, as to make him his Confident and Confessor immediately; or did *Peter*, above all the rest of the Brotherhood, carry in his Phiz such legible Characters of Wisdom, Policy and Fidelity, that the Bp could no otherwise then forthwith make him his Privy Councillor, and lay open to him a Secret of this Importance? Could this Vicar (little better then) a Stranger to the Diocese, as well as to his Lordship; direct him to *Ways* and *Means* how to bring about this Wicked Design of Pillaging the Church and Clergy; and why then, or how should his Lordship be so unaccountably free with him? *Credat Judæus Appella.*

Ll. He Swears it.

M. Yes, and other Things, which have no more Truth in them than that groundless Suggestion of your Author, that the Bp's Covetousness appear'd in every part of his Administration, tho' neither he nor you can prove that his Lordship got any thing by Confirmation.

Ll. You're too Severe in your Remarks: If every Word is to be weighed so Critically, no Man would Write.

M. Every one that blackens the Character, and strikes at the Reputation of another Person, ought to have good Grounds for what he charges him with; and since the Honour of a Bp is at Stake, had your Author any Honesty or Modesty, he ought to blush for being Guilty of such a Notorious Calumny; but you do it for him, and so go on.

Ll. How

PAR. I.

LL. How far your Exceptions against *Lewis* hold good, we shall examine by-and-by; should you happen to stop his Mouth, yet the thing it self speaks loudly and scandalously enough; for the *Bp's Covetousness* appear'd not only in single Instances, but in repeated Acts of Extortion, Simony, and other Crimes of the most Enormous Nature: As these were multiplied, so the Fame of them encreased, till in the Year 1694. it grew so loud and universal, that it moved his Grace of Canterbury to visit the Diocese of St. David's by Commissioners.

M. Whatever the Witneses may Swear, yet thy Author is such an habitual Lyar, that he seems to abhor the way of Truth. 'Tis strange that he cannot hold out for one poor Page, without prevaricating over and over, and that notoriously. Have not you and I, Friend, liv'd in the Diocese many Years? Did we hear any thing of this Clamour, that (as he would have it) offended the whole Country, and spread so far and fiercely, that it startled his Grace at *Lambeth*? Was not the Inhibition a perfect Surprise to us both, and to the Neighbouring Clergy? Did we not enquire of one another what the meaning of it might be? And was not the pretended Occasion or Cause purely unknown, till *Lucy* and his Agents whisper'd it about, that the Bp would be found Guilty of Extortion, Symony, and what not? Was it not so?

LL. We might know nothing of it, and yet the Leading-men in the Diocese might see just Cause for thus remonstrating against the Bp, to his Grace.

M. That they could not, if they acted Conscientiously; for suppose them to be never so Politick or Learned above the rest, yet with all due Reverence be it spoken, we might and ought to know as much of an Universal Fame as they. *Lucy, Meyrick* and *Griffiths*, that Triumvirate of Schismatics might perhaps endeavour to possess our Residentiaries, and the Arch-bp, with a hard Opinion of the Bp and his Administration; but we sure have Ears as well as they, and much better Title to wear them than they can pretend to, and yet we heard not a Syllable of this Evil Fame against our Diocesan. Consult thy Memory, and thou canst not but own that the Inhibition was Prior to the Fame, and prithee do not renounce thy Senses or Understanding in the Defence of any Cause whatever.

LL. Neither do you, Friend, let your Resentment disturb your Reason. If the Arch-bp was inform'd that such a Rumour of the Bp's Corruption was Strong and Universal amongst us.

This

This was enough to justify his Grace in granting the Inhibition, PAR. I.
and my Author in Assigning this as the Cause of it.

M. But I say again, 'tis impossible that any Men of Credit or Integrity should give his Grace such an Information, seeing there was no real Ground for it, as your Author Asserts, and therefore the only way to close up this piece of Conceit, is to put this Scandalous Lye upon the same File with the Two others that went before.

LL. Since we are able to prove the Crimes of which the Bp was Accused, I'll make what hast I can to the Depositions themselves, which will undoubtedly fasten the Guilt upon him, and then Rail you at the Author as much as you please.

M. Prithee proceed.

LL. *But the Visitation being ended, the Bp's Fears were so too, and he soon Reassumed his former Practices.*

M. That is to say, Simony, Extortion, and other Enormous Crimes. Now shew me, if you can, those Criminal Acts that the Bp is Accused of betwixt the Visitation and the time of *Lucy's* Enttring himself Prosecutor. I'll step out a little and give some necessary Orders to my Servants, whilst you are hitting of these Faults.— Well, what? And how many be they?

LL. Here are Crimes enough, of a Monstrous Nature, but none of that standing.

M. My Servants in the Yard, that are filling the Dung-Cart, have more cleanly Work than we. Nothing but Lyes and Slander. Shall we do with this Vile Libel, as the Parliament did by that other, the *Pastoral Letter*, Burn it by Consent?

LL. No, by no means. I promised to restore it to the Owner, and withal shall acquaint him with these Exceptions of yours; that so in the next Voluminous Edition these Matters may be fully *Illustrated*.

M. Tell and welcome, and in order to help the Undertaker of that great Work, give him the true Account of the Rise of this Ecclesiastical Hubbub; that so he may begin right, and not like thy Author fall into one gross Mistake after another.— *Lucy* being Accused to the Bp of divers Notorious Crimes, as *Extortion, Vexatious Citations, Selling Absolutions, Commutations of Penances, &c.* And withal the Learned in the Law being of Opinion that he had no firm Title to the Register's Place: the Bishop was resolved, at a Visitation he had appointed in 1694, to question the aforesaid *Lucy*, upon the account of his *false Title and flagrant Crimes.* 2. *Dr. Falconberg*, that Man with a great Name,
little.

PAR. I. little Sense, and less Conscience, was to be Admonish'd for not residing in the Consistorial Court as the Office of Chancellor, and the Ecclesiastical Laws require. 3. Some of the Residentiaries were to have been Examind why they take that Title upon them, and march off with the Profit, seeing they hate or scorn to reside in our heretofore Venerable Cathedral. 4. Some Idle *Clergy-men*, who are much more intent upon Fleecing the Flock than Feeding them, were to have answer'd (if they cou'd) for the long and wilful contempt of their Oaths and Pastoral Duty, after frequent admonitions to reside. Some other Things were also to have been set in order at this intended Visitation; but the Bp being too open in declaring his Resolutions, the Parties who were Obnoxious, sily procured the Inhibition, and served him with it as he Entred the Diocess: Thus hanging him upon the Tenter-Hooks, and saving their own Bacon. But, after all the Noise made at the *Metropolitcal Visitation* aforesaid, when the Arch-Bp knew not what to make of that Bundle of Impertinencies, brought him up to *Lambeth*: The Bp upon that Arch-Bp's death, Re-assum'd the thoughts of inquiring into *R. Lucy's* Ill Management and Crazy Title, which when *Robin* was inform'd of, he loudly Swore that he would spend the last Groat upon the Bishop, and thereupon entred himself Promoter; and indeed, as to that Oath, tho' a Rash one, he has to a Tittle fulfilled it; for every Body that knows him, knows with All, that he is not now worth a Farthing.

Ll. So you say; but hark you, Friend, the Commissioners betwixt *England* and *Scotland* will sooner Unite the Two Kingdoms, than thou and I go over this small Book, if thou makest these Excursions. Listen to me and I'll tell the quite another Story.

M. Do so, and let the Impartial Reader judge which is the most probable, mine can be prov'd.

Ll. Take another time for that, and let me go on in my own way. A Process was taken out against the Bp at the Promotion of *R. Lucy, Esq;* P. 2.

M. What sort of Squire is he prithee?

Ll. He's the youngest Son of a former Bp.

M. That's no Foundation for the Title wherewith you Adorn your Hero: Had *White Fryars* stood, he might have been a Squire of *Alsatia*, but the Heralds, I'm sure, will never own him.

Ll. Let him be what he will, he has been too hard for the Bp.

M. Do not Triumph before the Victory.

Ll. Let me give him Battle however. And thus I Range my Forces, or rather, his Crimes; which are followed and supported by a Cloud of Witnesses.

1st, *Offences*

1st, *Offences of many Kinds.* 2dly, *Illegal Exactions.* 3dly, *Mani- PAR. I.*
fold *Simony.* 4thly, *Crimen Falsi.*

Now save your Bp, if you can, whilst I thus hold forth against him. First of the first. *Offences of many Kinds.*

(1.) It was the Bp's Custom at Ordinations, to take the Offerings then given, into his own Hands; saying he would lay the same out in Plate for his Chappel.

M. How comes this to be Criminal?

Ll. What had he to do to apply the Alms of the Clergy to that Use?

M. I'm sorry, Dear Friend and Brother, thou shouldst make thy self so Ignorant: Prithee who is to Dispose of the Alms Offer'd at the Communion Table?

Ll. The Minister and Church-Wardens in Parish-Churches, to such Pious and Charitable Uses as they shall think fit. See the Rubrick.

M. And what if any Difference arise betwixt them, concerning the Distribution?

Ll. Then they must be Disposed of as the Ordinary shall appoint.

M. Very well; and why then shall not a Bp. have the same Power in his own Chappel, that a Minister has in his Parish-Church? Or why, again, should he that is by Act of Parliament vested with the Power of Determining to what Pious Uses Alms in Parochial Churches shall go, when any Controversy arises, not have the liberty of Disposing as he sees Best, what is given in his own Chappel, where there is no one to Contest with him: Either he may Assign them to what Pious or Charitable Use he judges most Expedient, or else he must not meddle with them at all; a Restriction which the meanest Curate in the Diocese is not under.

Ll. Notwithstanding your forked Arguments, yet the Pretence of Furnishing the Communion-Table with Plate, seems to be but a Fiction; for if that would justify the Matter, it does not by any Proof appear to have been done.

M. Six Pound Three Shillings, is the Sum Total Collected: What would this do towards the Purchasing of Plate?

Ll. However it looks Ill for him to keep the Money in his Hands.

M. How so? There's never a Bp. in *England* whose Word is better Security for 100s. or 1000s; and since he frequently and openly declared that he kept the Money for this Sacred Use: Since upon the first Demand he was ready to give an Exact Account of each Days Oblations, and as ready to lay it out to the

D. *Best,*

PAR. I. Best, when a sufficient Collection had been made, where's the Malignity of all this? The Author is both Fool and K—ve to make this a Charge against him.

Ll. He'll be on with you immediately for that. Now Exercise your faculty of Apologizing. 2. *The Bp's. Servants did not fare so well.*

M. As the Communion-Table, which as you would insinuate, was stript of all. Never did so much Malice and Dulness meet in One Man, as in this same Author.

Ll. Give over Quibbling about Words, Phrases, and little Niceties of Grammar, or I'll desist.

M. 'Tis a sad thing that we shall neither have Truth nor Sense. Come blunder on.

Ll. The Substance of the Article is, That the *Bp's. Servants* could not keep in their Hands what was justly their own Money.

M. How do you prove it?

Ll. *Robert Douglass*, who lived with the Bp. a Year and a Half, Swears that whatever Gratuities he Receiv'd at any time from Persons Ordain'd, were accounted for to the Bp, and that particularly at one Ordination, his Share out of the Money given to the Servants, coming to Four Shillings, the Bp. made him Account for it, and deducted it out of his Wages.

M. Does he Swear that the Bp. made the like Deductions from all his Servants?

L. N—o.

M. Does any other of them Swear it?

Ll. Not that I can find.

M. Why then your pretended Proof is Scandalously short, *Douglass* speaks only as to his own Case, without Depositing any thing in relation to the Deductions made from others.

Ll. You may be sure they were all serv'd with the same Sauce.

M. Is this one of your Author's *Presumptions*, or an *Inference*?

Ll. Sir, 'tis an Inference plain enough, seeing *Douglass* was forced to Account.

M. Why then an Argument drawn *a Particulari ad Universale*, is Sound and Firm, and all the Logicians that ever were in the World have been mistaken. Here ought to have been an Induction of Particulars in this Case, to make out your Article, or at least One or Two more of the Servants should have been produced, upon the same Head; which since it is not done, notwithstanding all the Vile Methods that have been used to induce his Lordships Domesticks to Betray or Accuse him. You must give me leave to infer that this Article was not capable of Proof, and therefore as it stands in your Author's Words it a downright Falshood. *Ll.*

LI. But is not *Douglafs's* Deposition true? How do you excuse the Bp. as to that? PAR. I.

M. Very easily; You know, I question not, how common it is with the Servants of Great Men, to make an Advantage of introducing Inferior Persons to the Presence of their Masters; the greatest part of their Profit many times arising from what they can thus levy upon, or Screw out of those who come to Petition for Favours; wherefore the Bp. to prevent this foul Practice in his Family. First of all promises *Douglafs*, his *Chief Servant* sufficient Wages, and then to obviate and render Fruitless all Attempts that might be made by this his most *Immediate Attendant* upon those who come to seek for Orders, the Bp. Contracts with him; That what should be accidentally thrown him by those that had more Money than VVit, should be sunk in his VVages, so that he was like to gain nothing, either by way-laying them upon the Stairs, or following them with a wishing, craving Countenance. And it appears by the trivial Account given by *Douglafs*, That the Bp's Stratagem had this Effect, 4 s. being all he had at one Ordination, and that too out of the Common Contribution made to the Servants. VVhereas, had *Douglafs* look'd out sharp for the Advantage of his Master, he might without doubt have compass'd a great deal more, but being not like to meet with any thing to his own Account in such a piece of Management, he let People freely pass and repass, and thereby left the Bp. so much the more his Debtor, who was willing thus to pay his Servants out of his own Pocket, rather than others should have it squeez'd out of them under pretence of Fees or Gratuities. This, Friend of mine, is so far from being Criminous in the Bp. that 'tis to be wish'd that all Bps would accept of, and Establish the same Rule in their Oeconomy, and thereby prevent that Scandal which is too often occasioned (unknown to them) by the Greediness, Impudence, and Importunity of their Servants. Are these your tremendous Articles! Your mighty Proofs against the Bp!

LI. They are not Articles properly speaking, but only Collections made from the Answers given to the Promoter's cross Interrogatories.

M. Very agreeable to the Title, and very Ingenious indeed! The Bp. produces Witnesses to Vindicate his Justice, to give an Account of his Life and Conversation, and your Scandal-Monger, like a Base Sycophant catches at that part of the Deposition, which was thus wrested from them, and gives it a malicious Turn, in order to Blacken and Misrepresent the Bp. without mentioning the least Particle of what was so Solemnly averr'd in Testimony of his Lordship's Innocence and Virtues.

PAR. I.

LL. Virtues, do you say? I'll make a Devil of him presently; mind the next Article, and defend him if you can. 3. *Lewis Thomas* Clerk swears, That coming to the Bp for Institution, the Bp told the Deponent, that if he would pay his Procurations for the Vicaridge, he might save 4*d.* which must otherwise be paid for the Receipt, telling him they were 3*s.* which the Deponent paid into the Bp's own Hands, whereas in Truth they were but two and Eight pence.

M. Parturient Montes, nascitur ridiculus Mus. And now know all Men by these presents, That this Prophecy is fulfill'd, the Lord Bp of *St. David's* cheated a poor Country Vicar of a Groat. Was it for this that Mr. Dean of the Arch's thrust his Nose into the Affairs of the Diocess? VWas it for the Spying of this *Mouſe* that Commissioners afterwards came down with *Beams* in their own Eyes? Might it not be a Mistake in his Lordship: Or the Mistake of him that Transcribed the Book of Procurations. Can any body imagine that the Bp would be so mean and base as to play at so small a Game?

LL. Do's not *Lewis* Swear it?

M. Ah, Friend, there has been such Swearing, that one wou'd believe, that as the Papiſts have Sunk the 2d Commandment, so we had dropt the 3d — VWhat abominable Tricks have been plaid in order to draw People in against the Bishop? How was *Tho. Williams*, first stubborn'd by *Lucy*, to certify that he had given the Bishop 8*l.* for a Living, and then was shuffled by *Lucy* in his own House, turn'd out of Doors, and deny'd Instruments that he had a Right to Demand, because he seem'd to relent and to dread the going on in such a piece of VVickedness. How was *Henden* a Master of Arts of *St. John's* College, our Neighbour, tempted by *Oxenden* in his Visitation to Accuse the Bp of something Criminal, and afterwards promised Preferment, if he would but Betray his Diocesan? How were all those favour'd that would but Spit or Spurn at their Lord and Master? And what wonder is it if this Inconsiderable Clerk (*Thomas*) was wrought upon by those Means?

LL. Prove that he was, and then you do something.

M. Tho' I can't do it directly, yet if I should suppose it for once, it would be much more Rational and Allowable, than any of the Author's Presumptions. But to wave that Liberty, if I can make out that what he swears is highly Improbable, then I think it is no strain'd Inference to Affirm, That it is much to be fear'd that he forc'd his Conscience to serve a Turn.

See Tho.
Williams the
Bp's 40th
Witness.

LL. Ren-

Ll. Render the Substance of his Deposition improbable if you can. PAR. I.

M. That I will presently. This same *Thomas*, who says the Bp wrested from him a Groat more than was due, was not at that very time able to pay the whole Due for his Instruments of Institution, &c. The Bp in Consideration of his necessitous Circumstances gave him Credit for 40s. and abated him 18s. and 4d. which he might legally have taken of him. And was this a fit Person to be prey'd upon, or would he that gave him Shillings, at the same time rob him of Pence. He must be all Faith and no Charity that can believe it. Have you any thing more to say in this Four-penny Cause? See Promoter's 29th Witness, Lewis is Thomas ad Inter. 20th

Ll. No. I'll stick no longer upon it, because I can Charge him Home with Pounds Oppressively wrung from his Clergy.

M. Do if you can.

Ll. *Peter Lewis* swears, That waiting on the Bp at his first Coming down into the Diocess, and being a Tenant to the Palace Lands at St. David's at the rate of 11 l. per Ann. The Bp told him he must take a Lease and give 10 l. Fine: but the Deponent replying that the Lands were at a Rack-Rent.

M. VVhich was a Lye: I'll prove it.

Ll. Stay your time; And further alledging, that when a Fine was given, the Rent was lower; to Screw him up the Bp promised him a Kindness: Whereupon the Deponent offers to pay the Bp 10 l. Nine Guineas, and the rest in Silver; but when the Bp saw the Yellow Boys, he would needs have the Deponent make them Ten compleat, using the Motive aforementioned over again. The Deponent accordingly made them up Ten, had a Lease granted for 21 Years, and at the same time; but after the Payment of the Money, the Bp shews the Deponent a Book of the Benefices in his Diocess, bidding him Choose one that he lik'd. The Deponent pitching upon the Vicarage of Llanryan when it should be void; The Bp said, he would remove the Incumbent, which he accordingly did within the Compass of a Year, and Collated the Deponent thereto.

M. I can easily Answer all this.

Ll. Hold a while yet, for I have something more to say; *Edmund Meyrick* Treasurer of St. David's, swears, That he never heard that those Lands were Leased; and the Fame is that the Ten Guineas were the Motive to the Bp's Collating *Lewis* to Llanryan. And *Ford* who had been Steward to the Bishop successively for 24 Years, Swears; That he had often Let those Lands, but never knew any Fine given for the Lease of them. This Action of the Bp carries not only a Symoniacal Air in it, but is a downright Piece of Sordid Injustice. Now answer if you are able. P. 4. 2.

M. Then

PAR. I.

M. That I shall. ist. in short, by declaring all these Three Depo-
nents perjur'd, and then by proving that they are so.

Ll. Vix credo Domine.

M. I can't help that; but to fasten the Guilt the more Effectually upon All and Each of them, and to avoid Repetitions, I'll begin with him that is last mention'd. Bp *Lucy*, one of his Masters, heretofore Bp of the Diocese, had in his Time Leased these very Lands to *Henry Williams* Gent.; and afterward his Lordship being desirous to re-assume them, *Williams* not consenting to it, a Law-Suit commenced, of which the whole Country rang. Thou and I who never trouble our Heads with Assize Matters, heard of it more than enough; and how was it possible, or is it to be imagin'd, that Mr. *Ford* (Mr. Steward for the time being) who liv'd here in the Country by us should be Ignorant of what every body knew? But not to rest his Conviction on a meere Supposal. It is in Proof and cannot be deny'd, that *John Hall* * one of the Vicars of *St. Davids*, having Leased those very Lands of Bp *Thomas* at 10 l. Fine 10 l. reserv'd Rent; and he the said *John Hall*, meeting with Interruption in his possession of the Lands, from the Tenants who occupied them, did Assign one Moiety of them to *Hen. Harris* of *St. David's* for 5 l. 5 s. Annual Rent. He the said *Harris*, being one of the Occupiers, who gave *Hall* Disturbance; for he himself Deposes, That when he took *Hall's* Assignment, *Ford* call'd him Fool for so doing, telling him that Bp *Thomas*, without his taking the Assignment, would have given him no Disturbance in the Possession. So that in the Summary View, we have *Ford* Deposing, That he never knew of these Lands being Leased; and here it is prov'd upon him, That he knew of a Lease granted by Bp *Thomas*, within the Compass of his Stewardship. VVhat think you of this Man of War of yours! Is he not sunk at Rights.

* John Hall
(Bp's 19. Wit.)

Ll. No, only in danger of Foundering; but (to pursue the Metaphor) how do you Engage that mighty Second Rate, *Edm. Meyrick*?

M. Partly with the same, partly with fresh Artillery. Recollect what I said of *Hall's* Lease, and take this along with you; besides, *Hall* assigns the other Moiety of his Lease to Mr. *Tho. Roberts* of *St. David's* for 5 l. 15 s. Fine, and 5 l. reserved Rent: *Roberts* finding the Sweets of it, and having a mind to the Remainder, makes Application to Mr. *Nicho. Roberts's* Clerk to Assist him in gaining the whole; *Nicholas Roberts* wisely applies himself to *Edm. Meyrick*; who was much in Favour with Bp. *Womock* (Bp. at that time of *St. David's*) good Mr. *Meyrick* promises his Assistance with a great deal of seeming Warmth and Sincerity, whereupon the

the whole Management is devolv'd upon him: *Roberts* upon such Affurance being secure of his Ends, as he thought, but *Edm.* knew better things; for he procures the Lands for his dear Nephew and fellow Evidence; *Peter Lewis*, leaving *Roberts* to Whistle, Rail, or do what he would.

PAR. I.

Ll. Whence have you this Account?

M. From *Nich. Roberts* his own Mouth, who is ready to Swear it before any Magistrate or Court of Judicature.

Ll. Why did not the Bp. bring him in as a Witness?

M. He suppos'd it needless, *Williams, Hall* and *Harris* as afore-said, having Deposed so fully as to Prior Leases; but since things beyond all expectation are come to so sad a Pass on his Lordship's Side: His Lordship is, I question not, sorry for the Omission, should there be a Hearing before the House of Lords, as to the Validity of the Sentence already Pronounc'd by the Delegates, and Matters thereupon Re-examined, or should the Cause be referred to a Provincial Synod; this, and several other Particulars, would be made out to the full Vindication of his Lordship, and Confusion of his Enemies; not to say the Shame of *some Body else*: In the mean while, you and I, who know *Nich. Roberts* our Neighbour so well, can no less in Justice than believe him: Besides, can it be supposed that *Meyrick*, who procur'd these Lands for his Nephew, and vacated the Lease by which the former Tenants held it, should know nothing of their Tenure, or a Prior Lease?

Ll. It looks Black on my Friend *Edmund's* side every way, and *Peter*, I'm afraid, will come but blueely off, at this Rate.

M. O Villainy! He's Convict already, he cou'd not but be Conscious that all his Depositions, so far as he would have it affect the Bp. was a Lye. For first, as to point of Time, he is notoriously out in his Evidence; he Swearing that this Lease was taken upon the Bp's first coming down to the Diocess; whereas it appears by the very Indentures it self, that it was the Year after. Then again, as to the Lands being at Rack Rent at 111 l. per Ann. when he knew they were worth more, as appears not only by the Strife there was about it, but also from the Oaths of *John Hall* afore-said, who Deposes, *he was willing to have given the Fine and paid the Rent that Lewis Covenanted for.* And *Charles Pryse* late Chanter of *St. David's*, who declar'd upon Oath, That he knew the Worth of these Lands so well, that even after 8 Years of the Expiration of *Lewis's* Lease, he offer'd *Lewis* the 10 Guineas Fine, and take upon him the Payment of the Rent. So that 'tis plain his Conscience was upon the Rack all the while he Swore, and that the Lands were not. Which is manifest Perjury, a horrid Crime, that

PAR. I. that can be fastn'd upon him in another Instance, but I leave that to its proper place.

Ll. But what say you to the Vicaridge given him after such a Symoniackal manner?

M. I answer in the Words of the Poet. — *Nec Lex est justior ulla
Quam necis Artifices arte perire sua.*

For tho' 'tis evident his Testimony ought not to be receiv'd against any Man, yet there's all the Reason in the World that his own Confession should be Conviction enough against himself; and much do I wonder that the Great and Severe Prosecutors of Symony did not whip this Chapman out of the Temple.

Ll. The Bp was the Game they had in Chase. —

M. And pretty Beagles they had to Hunt him down. I have heard of those that lov'd the Treason, but hated the Traytor. In this Case the Observation is reversed in part, the Traytor Carefs'd and still encourag'd.

Ll. Prithee leave alone these Reflections, and tell me freely, Does it not seem probable that the Bp might prefer him upon the Account of the 10 Guineas, seeing his Promotion so soon followed the Payment of the Money.

M. No verily, not at all; for since he only gave the Bp that Fine which others would have given, and which wou'd not be taken were the Lease now void. Why should such an Advantageous Bargain on *Lewis's* side be an Inducement to the Bp to do him further Favours upon that Account? 'Twas Charity, meer Charity that inclin'd the Bp to prefer him; and if you won't believe along with me, yet you cannot in Reason give Credit to what he urges against the Bp, his Lying and Perjury being so flagrantly apparent.

Ll. I am weary of this Article, and therefore shall not insist upon the same attested by *Meyrick*.

M. No don't, because there's another Fame which would quite spoil his Testimony.

Ll. What's that?

M. Why thus. If *Meyrick* barely says a thing, it may be true, if he Protest's it, 'tis doubtful; if he says I protest before God, 'tis certainly false.

Ll. Fy, fy, fy, I can't believe it of him. I assure you he is a Considerable Witness against the Bp, and great Credit is given to his Oath.

M. If I don't, (besides what already has been urged) make him appear one of the vilest Wretches that ever dar'd to kiss the Book, I'll give up the Cause.

Ll. When

LI. When you do it, I'll believe you, but let's hasten forward, **PAR. I.** that we may Methodically come at him again. (5.) *As the Bp could use indirect Means and Artifices to get a little Money, so he was not very Nice and Scrupulous, what he did to save a little. Hence it was that he employ'd one Tho. Powell to be his Curate at Burrough Green (a Rectory he held in Commendam) taking him into his Service on the 11th of December 1690, tho' he was Convicted before the Bp. the October immediately preceding, of Forging Orders for Priesthood; but the Bp was to have a good Pennyworth; for as Powell himself Swears he was to have but 25 l. per Annum for Serving the Cure: The Bp. indeed made Powell confess his Crime, and his Sorrow for it, on the same day he Hir'd him; but I do not find it prov'd that the Bp. made any previous Enquiry whether Powell had any real Orders or not. What say you to this complicated piece of Wickedness?*

M. Take it piece by piece in the Construction 'tis capable of, and it makes for the Bp. and is a further Proof of this Author's detestable Falshood and Malice.

LI. I'll as soon believe any of the Transformations in Ovid's *Metamorphosis*, as that such a Turn can be given to this Deposition.

M. Do not give your self over to Prejudice, nor too implicitly and hastily believe your Dr. The First Part of this complicated Charge is, That the Bp. did not care what he did to save a Little. The Proof, That he preferr'd this Unworthy Fellow, and gave him but 25 l. *per An.* Now if that be the same Salary that the Bishop gave to Dr. *Harrison*, heretofore to Mr. *John Gwynn* and others afterwards, and for which he might have had choice of Curates, at that very time when he accepted of *Powell*; then the sending of *Powell* to *Burrough* must be imputed to some other Cause, than merely the sordid saving of Money; which your Author, with equal Modesty and Veracity, charges him with.

LI. But who is it that did or can certify that Dr. *Harrison* and Mr. *John Gwynn*, had no larger Allowance?

M. I suppose they are both Alive, at least Mr. *Gwynn* is, and is ready to be Deposed on his part.

LI. Why was he not Examin'd as to this Particular?

M. Because the Quota of the Salary was not the thing alledged, but the supposed Incapacity and Unfitness of the Person. We should have sad doing all the Kingdom thro, if those Pluralists who keep Curates, were to be Depriv'd, for not paying them more liberally than the Bp. did *Powell*: In my mind 'twas more than he deserv'd, if we consider his Ingratitude to his Benefactor.

LI. Nay I must needs own the Bp. was extreamly kind and favourable to him, much above what he ought to have been; for

PAR. I. who but he would have Employed such a Miscreant, that forg'd Orders, and perhaps never had true and full Admission into the Ministry.

M. Hear the Cause out, and then call him what you will. *Powell* being a Curate (as you very well know) in this very County, and as Deacon being incapable of performing all the Offices requisite in the Church, whether out of Idleness, Lowness of Pocket, or Diffidence of his Qualifications at that time, (most assuredly for want of having the Fear of God before his Eyes) did so manage an old Letter of Orders that fell in his way, that without the laying on of the Hands of Bp. or Presbyter, he dubb'd himself a Priest; afterwards either out of Remorse of Conscience or dislike of his own Handy-work, or fear of Discovery, away he goes for *Hereford*, and actually was Ordain'd; but his Pretence to Secret Orders being publickly known, and his Errand to *Hereford* discover'd, he was Accused to the Bp, and by him not only Suspended, but so severely Reprimanded withal, that the poor Offender had in all appearance, a very deep Sense both of his Punishment and Guilt: For Three Months the Bp. keeps him under Censure, and instead of granting him a hasty Absolution, which he frequently and passionately desir'd, his Lordship did so very often and so very Pathetically represent to him the Heinousness of his Crime, that a more dejected Penitent has scarcely been seen in the Memory of Man; whereupon the Bp. left he should fall into Despair, or change his Suspension for a real Hanging, at last promises to Absolve him, but upon this Condition, that he should humbly and openly acknowledge his Offence: Accordingly upon a certain Day when several Eminent Clergy-men were at the Bp's, as also the Chancellor of the Diocess, and the Deputy Register; *Powell* in the Presence of the Bp. and this Company, did in the midst of the Chappel, upon his Knees, with Tears running down his Cheeks, and those Tremblings of Body, which undoubtedly proceeded from the inward Agonies of his Soul, Read a Recantation or Confession; Penn'd by the Bp, in as Severe Terms as Justice could require, or Charity would allow; and afterwards very humbly and thankfully receiv'd the Comfort of Absolution. Well, here's the Poor Penitent set at Liberty, but incapable of Officiating (to any Advantage) in the Diocess, because of the open Scandal there given. Was it fit to turn him Abroad into the wide World, thereby to put him under the Temptation of falling into Courses unbecoming the indelible Character of a Clergy-man; such Cruelty towards a Person Pennyless and Friendless, might have given the Seducer of Mankind, too great an Advantage over him; wherefore the

the Curacy of *Burrough* being then accidentally Vacant, and the Bp. of *Hereford* by Ordaining him Priest, having given a sufficient Testimony of his Qualifications, our Bp. also over and above having Examined him, out of pure Pity to a Priest ready to Starve or run Distracted, sends him to the place afore-mentioned; where his Crime being not known, the Scandal of it could not hinder the Efficacy of the Ministry. What Flaws some Rigid Canonists may pretend to find in this Procedure, I won't pretend to determine; but all Moderate and Charitable Men will be apt (I fancy) to believe along with me, that the way of Disposing of him was Prudent and Commendable.

Ll. No, I won't yield to it; but before we come to that Point, let me tell you that here's a long Story, but no body knows whether there be one Word of Truth in it, more than we have in the Article: Does it appear, answer me directly, that *Powell* had true Orders? For tho' my Author owns a sort of Penance done by *Powell*, yet he questions very much his being legally a Priest: First, because *I do not find it prov'd*, says he, *that the Bp. made any Previous enquiry, whether Powell had any real Orders or not.*

M. Wou'd thy Author Sit down in good Earnest, and pick Straws, he might do some good in the Common-wealth; but studiously to seek for a Knot in a Bull-rush, is Contemptible Folly, and worse than Idleness. What was the whole Prosecution, but an Inquiry into this Matter? What the Motive for the Bp's Absolving him, but the Exhibition of the True, Authentick, Indisputable Letters, under the Hand and Seal of *Herbert*, Bp. of *Hereford*, viewed and reviewed by the Bp, *Meyrick*, *Tho. Powell*, and others? Each, and every of which, could not but have Sworn to this Point, had the Bp. been question'd upon it. Can any Man that pretends to common Sense or Charity in the least Degree, suppose the Bp. to be such a Ridiculous Fool and Knave, as first to Punish a Man for a Forgery of this kind so openly, and then as openly to send him to another Diocese; where the Deceit, if *Powell* were not fully Ordain'd, must of Course be discovered before his Admission, his Fictitious Letters being taken from him and Cancell'd.

Ll. Whatever became of them, yet 'tis very probable he had not real Orders; for this very Reason, because the time betwixt the Forgery and the Bp's. Accepting of him for his Curate, was so very short, viz. from *Mar. 1694.* to *Decemb. 90.*

M. Thy Author, of all Mankind, ought never to be forgiven, so far as to be Credited, for reading this as a Reason; when he could not but see in the very Deposition cited and referred from his Book, that *Powell* himself Swore to the very Time and Place

PAR. I. of his Ordination, viz. at *Hereford*, *June* the 5th, 90. where 'tis still to be found upon Record, as thy Author ought to be, for a Sycophant and Impostor.

Ll. Since you are so Zealous against those that are guilty of False Practices; pray Chastize him a little that is the Subject of our Discourse; that Wretch whom the Bp. did not condignly Punish, which after all, is highly blameable in him.

M. If *Powell* had not his full Weight of Punishment, Why do the Tormentors at *Lambeth* suffer him to escape so easily? You find they had him in their Clutches whilst upon Examination, and why did they not give him the 40 Stripes save One, or more if they pleas'd? But the Swearing against the Bp. was so Meritorious a Performance, that I suppose his Endeavour that way attoned for all other Misdemeanors

Ll. No, Sir, no Man ever got any thing by being Evidence against the Bp. (7.) *There he had the Advantage of the Promoter, as having Preferments in his Gifts; and how he managed himself in this Particular, an Instance or Two will shew.*

M. Your Proofs of his Mismanagement, pray Sir.

Promoter's
14 Witness.

Ll. Why thus; *James Harris Deposeth, That he, the said Harris, having Sworn that when he was Ordained, neither the Bp. nor any other Person did Administer to him the Oaths by Law required, tho' it was certified under the Bp's. Seal, that he had. This Harris; after his Deposition, waited on the Bp. to desire a License to serve the Cure of Trallang, the Bp. would not see him (as he sent him word) till he should give him something under his Hand, to shew his Sorrow for what he had Deposed, adding that he feared that the Deponent had forsworn himself; for that some Persons had Sworn diametrically opposite to what he had, and then the Bp. turn'd about and went from the Deponent.*

M. Pray do you turn about a little; and view what you have laid down as part of *Harris's* Evidence. First you represent him, as Swearing that the Bp. would not admit him into his Presence, and immediately without making any mention of the Bp's Appearance; or how *Harris* came to a sight of his Lordship; the Bp. say you, turns about and goes from the Deponent; Is not this a Contradiction?

Ll. Only a Mistake, the Printing for Brevities sake, the manner and time of the Bp's coming down to him; which Niceties and Particularities you are not to expect in a Summary View.

M. But where a Person is making a Narrative, let him be never so short; he ought to be consistent with himself. Truth, we say, will come out at last; and Falshood and Perjury are ever and anon Betraying and Confounding themselves.

Ll. Li-

Ll. Listen a little further; and your Friend, the Bp, did allow him afterwards at another time to make his Appearance. PAR. I.

M. That's nothing to the Diametrical Opposition of one part of this Deposition to the other.

Ll. If you are fond of the Advantage, make your most on't, whilst I go on. *Harris goes again the next Month with the same Request*, at which time the Bp ask'd him if he had Recollected himself or not? To which the Deponent answering, that his former Deposition was true; the Bp told him he was sure he never neglected the Oaths, but once when he Ordain'd for another Bp, and then said he could not grant the License, but order'd the Deponent to come to him to *Abergwilly*. In *September* he went thither, and then the Bp sent him word he had mislaid the Petition, that he must give him another; and that he would have the Deponent own his Mistake; which the Deponent refusing to do, his Lordship was angry, and told the Deponent, he had made him a great Lyar, and in great Anger call'd the Deponent Impudent Fellow, and Forbid him not only to *Officiate in the Cure*, but to *Teach School likewise*. Was not here a fine Shuffling Work, keeping a poor Clergy-Man in Suspence, and instead of giving him a License, which he might lawfully require, letting fly at him in hard Words, and so far as in him lay, prohibiting him to go on in the way of getting Bread, and all this because he would not renounce the Truth, and write himself Perjur'd.

M. Your Author has writ him so more than once; for here again, as before we have the Bp sending him Word, &c. which Implies I should think his Lordship refus'd to Converse with him, and yet presently his Lordship without any thing of an Introduction, is represented as giving him foul Language face to face, calling him Impudent Fellow, forbidding him to Officiate, &c. What honest Judge or Jury would lay Stress upon the Evidence of a Man so inconsistent in his Story from one End to the other.

Ll. You are so fond of this Hole, that you take a Delight in Creeping through it once and again. Come out in order to defend the Bp against the Substance of the Deposition, if you can, and do not Skirmish about Circumstances which are not of the Merits of the Cause.

M. Tho' I do not quite relinquish these Exceptions, yet I will joyn Issue with you upon the Matter of *Harris's* Evidence, if you will fairly Engage. But let me tell you (which I look upon as a very just and necessary Preliminary) that if you design to make any thing of this Deposition, you ought in the first place to justify the Truth of *Harris's* first Deposition, as to the Bp's Certifying contrary.

PAR. I. contrary to plain Fact. For if I can prove (as I am sure I can) that what *Harris* swore in that respect was downright False, then the *Bp* is so far from being blameable for denying such a perjur'd Wretch a License to have Cure of Souls, that it would have been highly Culpable in his Lordship to trust such a Harden'd, Remorseless, Impenitent Person, with the least part of the Ministerial Function. He rather deserv'd to be Excommunicated himself, than to give the Communion to others.

Ll. Still you're for flying off I find, and for raising a Dust, that so you may escape.

M. No, I am only for keeping my Ground, Wou'dst thou have me such a Fool, so false to the just Cause I espouse, as to yield up the Veracity and Honour of my Diocesan, upon the lying Accusation of a perjur'd Coxcomb, who knew not what he swore, and yet what he did swear happens to be false. If your Author had design'd to deal fairly, he ought first to have fasten'd the *Crimen falsi* upon the *Bp* from *Harris's* Testimony, and then (could that have been made out) the *Bp's* treating him at this Rate would have been truly Criminous. But to pre-suppose the main Matter, is a downright Imposition, a plain begging of the Question, which you shall never obtain.

Ll. If you can Invalidate *Harris's* Testimony, you do the *Bp* no small Service. But because I am unwilling to break from the Method my Author has laid down, this Deposition of *Harris's* shall be supposed to be of no weight till the other about the Oaths and Certificate be Canvass'd and Adjusted, and then too will be the properest place for Reckoning with the *Bp* for Omitting the Oaths when Ordaining in another Dioceses.

M. So be it. Who's the next false Witness?

Ll. Do not bespatter a Man before you know his Name. 'Tis Mr. *John Scurlock* of *Caermarthen*: And thus he Swears, *That when William Harris came to the Assizes at Caermarthen in 97, to prove Symony against Medley the Arch-deacon of St. David's, that he the Deponent lock'd him up in a Room, and prevented his going to give Evidence for Mr. Bowen the King's Presentee, to the Arch-Deaconry, aforesaid, and that he the Deponent, was thank'd for such his Service by the Bishop.*

M. 'Tis to be fear'd there are many People in the World, that are ready to run the Risque of Damnation hereafter, in case they could but accomplish their Wicked Designs without sullying their Reputations; but I believe it has scarcely been heard of, that a Parcel of Men should voluntarily and openly Disgrace themselves for Ever, merely to Blacken an Innocent Person; *Meyrick, Ford,*
and

and *Lewis* have done it already, and here comes in *Jack Scurlock* PAR. I. for a Fourth Man in the *Black List*. Sure the Devil ow'd these People a Shame, and being slow in paying them, they violently brought it upon themselves?

Ll. Mr. *Scurlock* was produc'd by the Bp. in order to Swear in his Lordship's behalf, but being urg'd by the Promoters Interrogatories, he could do no less in Conscience than make this Discovery.

M. Never talk of Conscience in this Case, for *Scurlock*, by his own Confession, has forfeited all Pretensions to it; for tho' *Bowen's* Title was not worth a Half-Penny, and what *Harris* could Swear (with Truth) still more Inconsiderable, yet to Kidnap and Sprite away a Witness after he was Subpœna'd, and who was (as 'tis pretended) so eager of Swearing, that they were forced to Lock him up like a Madman, was such an uncommon piece of Roguery, that Knights of the Post, and the Vilest Petty-foggers, tho' Sold to work Wickedness, have more Modesty than to pretend to it. Besides, the Injustice done to the Party (in Cases of this Nature) who is thus defrauded of the Assistance he expects from his Witnesses; 'tis such a Villanous way of Concealing, and so high an Affront to Authority, that I question not but our Laws are as Severe against such Vile Practices, as Subornation it Self.

Ll. Very well, and after all this Aggravation, what think you of the Good and Godly Bp, that by thanking of *Scurlock*, approved of this Transcendent Piece of Villany.

M. When any Credible Witness fastens an Acknowledgment upon the Bp, then I'll yield his Lordship to have been highly blameable in this Particular; but no Man of Common Sense or Charity, will give that weight to *Scurlock's* Testimony, since he declared himself in the former part of his Oath to have been (unask'd without any apparent Temptation or Inducement) a false and treacherous Rascal. He has cut the Throat of his own Reputation, by his own Confession, and thereby has Incapacitated himself to hurt any other Man's. Besides, consider Circumstances a little, and to an unprejudic'd Person it will appear highly probable, that *Scurlock* never did Coop-up *Harris*, as he pretends to have done. For can it be imagin'd that *Bowen* would tamely and quietly have undergone such an Injury? We all know what a troublesome costly Business it was to him to Manage this Affair, and withal how Eager he was in the pursuit of it. Why then did he not Complain to the Judges upon the Bench, and procure a Warrant for the Discovery of this Conceal'd Witness? Why did he not take the Advantage of the Law against one that Disobey'd so Awful

PAR. I.

Awful a Summons, and thereby laid himself open to a just and severe Prosecution? Or, Why did he not Complain and Remonstrate against the Wrong thus done him? These are natural Consequences of such a Disappointment; but we heard nothing of his Resentments, nothing of this sly Stratagem, till *Scurlock* appears before the Arch-bishop's Commissioners, and thus Accuses himself, in order to Traduce the *Bp.* Observe withal (which I look upon as very Material) that when *Bowen* was to have a second Tryal at *Hereford*, where *Harris* appear'd, and was neither Fear'd nor Confin'd by any body of the *Bp's* Party; Why did they not then go on with the Cause, and produce this Material Witness, who by Declaring what he knew of the Symoniacal Contract, and particularly by Discovering the Trick put upon him at *Caermarthen*, might have powerfully influenc'd Judge, Jury, and All present to believe the Justice of *Bowen's* pretensions, and the *Bp's* Guilt: but instead of doing that, when *Bowen*, *Lucy*, and the rest of the Managers found *Medley* upon the Spot, and Ready to defend himself, they Dismiss'd *Harris* and the rest of their Lame Evidence, paying Costs for their Presumption, and since that, have relinquish'd their Claim to the Arch-deaconry, notwithstanding the Judgment given at *Lambeth*, which (it seems) will not hold good when brought to the Touchstone of the Law. So that from what has been said, and which no body can gain-say, I do infer that it is highly probable that *Harris* was not thus confin'd by *Scurlock*, and that therefore the former as well as the latter part of his Deposition, is a Lye.

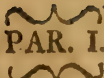
Ll. Since you are so ready at unfolding of Mysteries, prithee tell why was *Scurlock* produced by the *Bp*? What did the *Bp.* Design by it, or intend that he should prove?

M. He had frequently and openly declared in Company, that *Will. Harris* had own'd to him, that he could Swear nothing against the *Bp.* or *Medley*, and that *Lucy* had been upon his Knees, praying him not to be a Witness; Whereupon his Lordship ordered him to be Cited before the Commissioners, to Invalidate *Harris's* Testimony, and thus he serv'd him; for which I suppose I have paid him (in part) as he deserves, the rest I leave to the Court of *Queens-Bench*; from thence if he escape unpunish'd, 'twill be an Affront to the Justice of the Nation.

Ll. If you are satisfied, we'll have no more of him.

M. Only answer me this first: How does it appear or follow from hence, had *Scurlock's* Deposition been true, That the *Bp.* by having Preferments in his Gift, had thereby an Advantage against the Promoter? For that's the Point your Author was to make out.

Was

was this Jack of all Trades, this pitiful Retailer of Soap, Inckle,  PAR. I. Candles and Mouſe-Traps, capable of Church-Livings and Dignities, or how could the Bp's large Patronage influence him? How comes your Author to be ſo confus'd and weak in the Proof or pretended Illuſtration of his Abilities? But I need aſk the Queſtion, for his Method has been altogether Irregular, and his Arguments either falſe or Impertinent, or in one word both.

Ll. You have answer'd your ſelf more to your own Satisfaction, than perhaps I ſhould. Wherefore to avoid further Squabbling, I'll go on to another Inſtance which is Home to purpoſe, and will make Amends for the Deficiency of this. *The Williams in the Year 1694, Wrote and Subſcribed a Paper, wherein he accused the Bp of many ill Practices, and this he did (as John Hughes then preſent ſwears) voluntarily, and with a great deal of Forwardneſs.*

M. He muſt needs go home the Devil drives.

Ll. Againſt whom do you point that Proverb?

M. Againſt Both of them. Firſt, as to *Williams*; there was a-bundance of previous Perſwaſions and large Promiſes in private, in order to draw him in to accuſe the Bp. A ſly working upon his Neceſſities, and the unreaſonable extravagant Reſentment he was under, becauſe of a Diſappointment which he met with from the Bp. together with a horrible falſe Miſrepresentation of the Bp. For thus this very *Williams* has depoſed upon Oath, and is ready to confirm it by the ſolemneſt Atteſtation, That *Lucy* repreſented the Bp to him for a Swearer, Extortioner, and that being a Monſter and a Villain (the two laſt of which ill Terms, as far as I know any of the two Leg'd Species, belong and are proper to *Lucy* only *quartomodo*) he was not fit to be a Bp; and that he the ſaid *Lucy* had ſeveral perſons to produce, who would give ſuch Information againſt him, as would cauſe him to be turn'd out of his Biſhoprick. Further, he depoſeth that *Lucy* and *Ferry Griffith*, in Conjunction with him, perſwaded and ſuborned him to ſay that, in order to prevail with the Biſhop to Collate him the ſaid *Williams* to his Father's Living, that he had left with and given the Bp 8 l. That by way of Encouragement to him to faſten the Receipt of the ſaid Sum upon the Bp, they not only aſſur'd him of being protected from Swearing it, and cover'd from all Inconveniencies, which he might fear the being made Obnoxious unto, but that he ſhould gain Friends and Preferment thereby; and that accordingly *Lucy* and *Griffith*, upon his Application to them for the Rectory of *Cregrina* (underſtand during the Inhibition) did by their Writing to Dr. *Oxendon*, obtain for him a Sequeſtration and Liſenſe to ſerve the Cure; but that this the ſaid *Williams's* Information againſt the Bp

PAR. I. before the Commissioners for Visiting the Diocese, not coming up to the fastning of the aforementioned Sum upon his Lordship, *Lucy* not only deny'd to deliver the Instruments, but Thrust him out of his Office, when he went to Demand them: telling him he should not have them till he had drawn up another Information, wherein the Receipt of the 8 l. should be expressly Charg'd on the Bp; and that he the said *Williams*, finding himself thus Menac'd and Threatned thereto, did in *Lucy's* Office, draw a new Information, according to the Tenor and Words they Suborn'd him to do it.

Bp. 41 Wit.

Ll. Had this same Deposition of *Williams* been accepted of in Court, it had been worth all that was given for it.

M. Pray, Sir, what was given for it? And by whom?

Ll. *The Vicarage of St. Harman by the Bp a Year after the former Subscription, or a little after the time that a Copy of the Process taken out against the Bp, was left with one of his Servants.*

P. 10.

M. And the making this Retraction was the express Condition of that Promotion?

Ll. Yes unquestionably.

M. What Proof have you of it?

Ll. The thing proves its self, for if the Bp had been dispos'd to prefer *Williams* out of pure Respect to his Merit, or any allowable Principle of Kindness, Why did he not Collate him to his Father's Living, when strongly Importun'd by Persons of Worth and Quality?

M. There were cogent Reasons, Good Sir, for the Bp's not Gratifying the Importunity of *Williams* and his Friends at that time, viz. an Assurance he had given beforehand to a Gentleman in the Parish, that upon the Death of the Father, he would not Collate the Son; as also a particular Promise to *Howell Griffith M. A.* that he should have it, if void in his Lordship's Time. Who both of them upon the Vacancy urg'd the Bp with his Promise. His Lordship, I believe, could have wish'd he had not thus pre-engag'd himself; but his Hands being ty'd for this Turn, he was forc'd to wait another Opportunity for putting *Williams* into a Way of supporting his Mother, and several disconsolate Relations left in a poor Condition, which his Lordship kindly did upon the Vacancy of *St. Harman's*. This is not only a plausible, but a just Account of the Bp's Procedure in this Case, and leaves no room for that sinister Construction which your Author would put upon his Charity. Can you so much as prove that the Bp knew any thing of that Deed of Darkness, the Information that *Williams* had subscribed? Did *Lucy* boast of that keen Instrument which he had got into his Hands, or brandish it openly? No, he kept it private to serve his Turn, as there should be occasion; for hereby he thought he had secur'd one Witness, tho' when he came to be Deposed, it was to *Lucy's* Confusion.

Ll. Not

LI. Not at all. For upon Hearing of the Cause, 'twas Rejected. PAR. I.

M. For what Reasons?

LI. *Hughes* his Oath, *Lucy's* Oath also to the contrary, and the inconsistency of *Williams* with his prior Declaration, together with the Suspicious manner of the Bp's preferring him.

M. As to the manner and time of *Williams's* Preferment, that I think has been fairly accounted for. And as to *Lucy's* Oath, and *Hughes's* (his Servant at that time) if I should say like Master, like Man, it would be Answer good enough.

LI. I expect a Better.

M. You shall have it then: And first as to *Hughes*, he swears that *Williams* wrote and subscribed a Paper *An. 1694*, wherein he Accused the Bp, &c. and *this he did*, quoth he, *voluntarily, and with a great deal of forwardness*. Whereas *Williams* Deposes that he was Menaced to it, and denied the License and Sequestration promised him, unless he would mend his Bill, as we say, and make his Accusation against the Bp more full, and to *Lucy's* Purpose. And how is this consistent with the Notion of a voluntary Action, when he was plainly forced to it? Where was *Hughes*, when all the noisy Violence was used? If in the Office, then his Deposition is a downright Lye; for *Williams* swears that *Lucy* thrust him from thence, and denied him his Instruments, till he submitted to his Terms; or if you kindly suppose *Hughes* to have come in after the Scuffle was over; why then not being privy to the Violence shewn to *Williams*, what seem'd to him to be a Spontaneous Subscription was the Effect of Force and Threatnings; and therefore he over-swore himself, by attesting a thing of which he had not a full and clear Knowledge.

LI. All the while you rely upon the Credit of *Williams's* Oath, which is of no Validity, it being a downright Contradiction to what he formerly had declared and subscribed, and which he cannot deny to be his own Act and Deed.

M. Ay, but he owns it with a great deal of Penitence and Sorrow; and 'tis very odd, my Friend, that that Holy Court (which claims the specious Title of Spiritual) will not allow a Man the same Liberty that God not only permits, but encourages, viz. *That a Sinner should turn from the Evil of his Ways, and do the thing which is Lawful and Right*.

LI. But which is to be adjudg'd Right in this Case?

M. That which has the most Solemn Attestation, a Quakers Verily; if he, in the Presence of God, Declare such a thing to be True, by a late favourable Act of Parliament, that Declaration shall be esteem'd Sacred; but in other Cases, and according to

PAR. I. the Word of God, an Oath is appointed for Confirmation. Were the whole Controversy to turn upon this one Point, and the Bp's Absolution or Condemnation to depend altogether upon it, as tender as I am of his Lordship, I durst refer it to all the Judicious Lawyers and Canonists in the Kingdom, whether or no the Deposition ought not to take place of the Subscription, especially since it discovers the Illegal Ways and Means by which the Subscription was gain'd? Whereas there cannot be, there is not the least proof of any Sinister Means used for the obtaining the Deposition.

Ll. But before you put it to this Solemn Reference, you ought to State the Case fully, and to add withal the Weight of *Lucy's* Oath, that the Subscription, &c. was Voluntary.

M. What signifies his Oath, 'tis in his own Case? Which is never allow'd but by way of Purgation, when the Evidence on the other side is not Positive or Full, which cannot be pretended in this Instance. 'Twas News to me, that *Lucy* should be thus Indulg'd, and will appear strange (I question not) to all that hear it.

Ll. I shall not yield this Point, whatever Concessions I have made hitherto.

M. Why then go to any Eminent Man of the Long Robe, tell him *mutatis mutandis*, that *John Do* or *Richard Roe* did Subscribe a Paper, but that now he is ready and resolved to swear the contrary, and to set forth all the Artifices whereby he was drawn into that Subscription; and if the Counsellor do tell thee the Subscription (however attested by the Parties Impeach'd) will take place before the Oath, then come to me and I will give thee my Head for a Half-Penny. Nay, Disguise but the Case, and put it to these very Advocates that Pleaded against the Bp, and if their Opinion be not contrary to what was the Practice of the Court in this Case, then may I (which is the greatest Plague on this side Hell) fall into their Hands my Self.

Ll. But hark you, Sir, are you not gone off from the Point? Whether the Oath or Subscription ought to take place, was not the Question; but whether or no the Bp did not make use of his Power of Patronage, to the Promoter's Disadvantage? *Williams* was ours intirely, till the Bait of a Vicaridge was thrown, and drew him over to the Bp's side.

M. 'Twas your preferring the Subscriptions above the Oath, and *Hughs* servile Swearing to support his Master, together with the heretofore unknown Liberty given this Squire of the Post, to give Evidence in his own Cause, that leads us out of the Way if we be out. But why, prithee, the same stale Pretence over again,

of

of *Williams* being drawn over by Preferment to the Bp's Interest? PAR. I;
 If his Lordships unexpected, undeserved Kindness to *Williams* did mollify his Heart, and sensibly Demonstrate to him his Wickedness, in engaging himself so Spitefully against one that had such a Paternal Care for him and his Family? Must this Good Effect needs flow from a Bad Cause? Or must a Man, if he have made one False Step, add Sin to Sin, till he go down Quick into Hell? 'Twas very happy, I think, that the Means of Better Livelihood was in an Innocent way the occasion of his Conversion and Repentance.

Ll. When will he Repent of his getting Two Bastards?

M. Who charges him with it?

Ll. My Author in the Name, and by the Oath of *John Evans*. Bp's Witness,
ex ac Octob.
19. 98. ad
Inter.

M. Let me see that Passage, I beseech you, and how he brings it in.

Ll. Here take the Book; and look at the 10th Page.

M. The Bp Pleads that he bestowed that Vicaridge on *Williams* purely for Charity, because he had a Numerous Family to Maintain, and Examined Witnesses to prove the same, &c. *David Vaughan*, Clerk, Swore, That he knew *Tho. Williams*, Octob. 19.
98. and at the time the Bp Collated him to the Vicaridge of *St. Harman*, he had a Mother, and a Numerous Family to provide for, and that he believes the Bp Collated him meerly out of Charity, and no other Account. *Tho. Williams* Deposed, That when the Bp Collated him to the said Vicaridge, he did not know of any Suit or Prosecution Commenc'd against the Bp, nor did the Bp intimate any thing of it; and he believes the Bp Collated him (who had above 11 in Family to Maintain) Decemb. 98. purely out of Charity, as the Bp then Declared; and yet we are told by one of the Bp's Witnesses, that he believes this *Williams* is a Bachelor, and has some Children, and particularly One by *Catherine Clement*, Another by *Margaret Davis*, and that each of these Two Children are at least Eight Years Old.

From whence I observe, 1st, That thy Author deals with those that are for his Purpose, as the Devil does by his Humble Servants. 1st makes Use of them, and then Delivers them up to Scorn and Infamy 2^{dly}, That according to his Malicious Dis- cant upon *Evans's* Deposition, he endeavours to lead the Reader into an Opinion or Belief, that these Two Brats were the Children that *Williams* was to Maintain, or that if his Family were more Numerous, the rest must be of the same Illegitimate Strain, because he Remarks more particularly that he is a Bachelor; whereas 'tis well known he had several Aunts, Brothers and Sisters (the honourable Product of the Marriage-Bed) who were in a very Ne- cessitous

PAR. I. cessitous Condition, out of pure Pity to whom, and a Disconsolate Widow their Mother (together with Charity to him, whose Vices, if he were thus Wicked, were unknown to the Bishop) his Lordship gave him the Living—— Is not thy Author a spiteful False K—— thus to attempt to Blacken a pure Act of Charity: This is so horrid and so apparent a Calumny, that all the World will forgive me if I Proclaim him to be next and immediately under the Devil, and *Robin Lucy* the most Malicious Varlet that ever pretended to be an Accuser.

Ll. The Bp would be more obliged to you, if you'd spend your Breath in Excusing him for Preferring such a Notorious Offender: He ought to be Punish'd for such an Unwary, Scandalous Promotion.

M. And what ought to be done with *Lucy* and *Griffith*, that Recommended him the Year before to Dr. *Oxenden*, and procur'd a License for him under his Grace's Seal? These Children (if there were any such) were Born then, and yet he was very much their Favourite notwithstanding.

Ll. They might not know it.

M. What, not Mr. *Surrogate* and Mr. *Register*? The latter of whom lives, for the most part, upon the Sins of the Diocese; but I suppose he had Commuted (which has been, and is a great Trade still in *Robin's* Office) or else the Subscription was a Sufficient Attonement, upon *Williams* flying off, from which out comes the Secret, which the Bp never heard, or should have heard of, had it not been upon that occasion: And let me tell you, that possibly *Evans* might believe too hastily, for otherwise, if *Williams's* Crime be undeniably Apparent and Notorious, why do's not *Lucy* Prosecute him now, when he has the Power in his own Hand, and no Body to Controul him?

Ll. Perhaps he may do it yet.

M. Let him do his Worst, that's nothing to the Merits of his Cause, the Bp is clear; go on to the next Article.

Sum. View,
P. 11.
31. An. 1603.

Ll. The Canon decreeth, *That no Deacon or Minister be Made and Ordained, but upon the Sundays immediately following the Ember Weeks*: But that the Bp did Ordain at other times, appears from the Answer of his own Witness to the Promoter's 4th Interrogatory.

M. Where? When? And how oft were these Uncanonical Ordinations made?

Ll. You are not to expect that he who only Writes an Epitome should be so very particular in Specifying all Circumstances. Will you deny that the Bp was Guilty of thus Violating the Canon?

non? This short View is Design'd to give a Present Satisfaction, till a more proper Time and Occasion shall require a more Compleat Account of the whole Proceedings.

PAR. I.

See the Preface.

M. Since thy Author is so Fallacious in his Narrative, and so scandalously Weak in his Proofs, all those who are duly Affected for the Regular Support of Ecclesiastical Discipline, must needs think it proper for the Bp's Adversaries to set out a more Compleat Account of the whole Proceedings, or else they must have the Liberty to judge, that the Bp of St. David's has been Oppressed, and illegally Deprived. Your Author is already Convict of so much Insincerity, that really, Friend, I cannot let this pass as Proof, unless that Proof, *totidem verbis*, or in part be produced.

Ll. This shuffling looks as if you knew the Bp to be inexcusable, and that therefore you would evade the Argument.

M. I know nothing of the Matter I declare *Bona Fide*, nor do I think it so very inexcusable, if the Bp did now and then, upon extraordinary Occasions, admit some Persons into Orders.

Ll. Is not the Canon express to the contrary?

M. As is not one part of the Canon as Sacred as the other?

Ll. Yes sure.

M. Then why did they not question him for Ordaining in his own Chappel, seeing the Canon requires that the Cathedral or the Parochial Church should be place of Ordination.

Ll. They spar'd him in that.

M. And themselves too. It being a very common thing for Bps to Ordain in their Chappels, notwithstanding the express Words of the Canon to the contrary.

Ll. And what do you gather from thence.

M. That as for prudential Reasons, some holy Fathers of the Church, now with God, have dispenc'd with themselves as to the Circumstances of Place, and as others now alive, do it, I doubt not, frequently. So I know no Cause why the Bp of St. David's might not take the Liberty upon extraordinary Occasions to vary as to the Circumstances of time. Besides, look into the Rubrick at the End of the Office for Ordaining Deacons, and there you'll find that a Deacon may be ordain'd Priest upon some other *Sunday* or *Holiday*, than that of the *quatuor temporum*, upon urgent Occasion, notwithstanding the Canon allows of no such thing. From whence I think a good Natur'd Man would allow one to infer, that as by the Rubrick (which is of later Date than the Canon) upon extraordinary Emergencies a Bishop may Ordain a Priest contrary to the express Words of the Canon; That therefore it can be no such heinous, intolerable Offence, for a Prelate upon the same Motives

to

PAR. I.

to Ordain a Deacon, even out of Ember Week. Or take it at the worst, and suppose the Bp had not observ'd the former part of this Canon any more than others have done the close of it; yet by all that I can find, the Penalty, if you go to the Rigour, is only a two Year's Suspension from Ordaining, and not a total Deprivation.

Ll. No Sir, that Sentence has another Foundation of abominable Symony, &c. However you yield your Bp guilty of this Allegation.

M. Hold there. I told you before, and shew'd you good Reason that your Author is not to be believ'd upon his Word; what I said was only by way of Argument ground'd upon a Supposal, if it were so: but that it was so, I do gain-say it, for I cannot Imagine what should induce the Bishop to Transgress in this kind.

Ll. It is not indeed prov'd that he had extraordinary Pay to encourage him to this Practice, though in the following Instance thoroughly considered, 'tis vehemently to be suspected that he had.

M. Let that Instance be what it will, it shall be thoroughly considered; and if upon such a Disquisition no Colour for that Scandalous Suspicion appears, your Author must forfeit all Pretences to Truth and Good Manners.

P. 11. Ll. First hear the Cause. *Notwithstanding the 34 Canon Provides, That no Bp shall Ordain a Deacon, except he be 23 Years Old,*
 13. Eliz. 12. *nor a Priest unless he be 24 compleat; and tho' it is Enacted, That no Man shall be admitted to any Benefice with Cure of Souls, except he be 23 at least, yet the Bp did Ordain one Thomas Morgan, first Deacon, afterwards Priest, and after that Instituted him to the Rectory of Landetty, tho' not of Age, upon his Fathers Presentation.*

M. Add withal, that his Father sent along with him a Certificate of his being of full Age, and then go on as fast as you will.

Ll. *That pretended Certificate was an intire Piece of Forgery, for Giles Bowen the Curate of the Parish Swears, that he never Sign'd any Certificate of Morgan's Age, and that he finds by the Register, that tho' Morgan was born the 21th of January 71. (the Ordination, &c. being dispatch'd in 91.) And as for Morgan Llewellyn, and Walter John, whose Names are to it as Church-Wardens; 'tis prov'd that Walter John was not Church-warden at the time the Certificate was given, and Morgan Llewellyn deposes, that his Name was set to the Certificate by Morgan's Father, who did not tell him the Contents thereof.*

M. From all which it still follows that Morgan's Father sent such a Certificate, let the Contents be true or false. This prov'd upon old Mr. Morgan judicially, might bring him under a severe Penalty, but can't affect the Bp, who was impos'd upon by it. As much as I respect him. I do not suppose him Infallible.

Ll. No

LL. No he had a mind to be imposed upon, for if you consider some few Circumstances which are prov'd, it will appear that the Bp either knew of this Forgery, or at least of *Morgan's* want of Years; nay it will leave it very doubtful, whether or no the Bp had the Certificate before he Ordain'd and Instituted *Morgan*. PAR. I.

M. Be sure the Circumstances be such, and so fully made out, as that they may fix the Suspicion upon the Bp.

LL. They are home and pertinent, I assure you. First of all, *Tho. Sandys*, a Prebendary of the Collegiate Church of *Brecon*, swears, *That he believes Tho. Morgan was not at the time of Ordination above 20 Years of Age, and that the Bishop could not choose but know him to be under Age qualified for Orders, having seen and taken Notice of him at School within a Year of his Ordination.*

M. As to the former part of *Sandys's* Deposition, what he believes, I have nothing to say against it. He liv'd within three Miles of *Morgan's* Father, and knew the young Man going to School in *Brecon*; but as for Swearing that the Bp could not but know him to be under Age; there I think Mr. Prebendary made a Stretch to serve his Friend at a Bottle, Mr. Register, and to be Reveng'd on the Bp for denying him the Arch-Deaconry of *St. David's*.

LL. Why so severe upon an old Contemporary at *Oxford*?

M. I favour no Man when he deviates from what is True and Right; for him to swear as to the Perspicacity of the Bp's Understanding in this Case, and more particularly as to the Tenaciousness of his Memory, is downright forcing his Conscience to serve a Turn: Does not that Comical Divine remember out of one of his dearly beloved Minor Poets, that remarkable Fragment,

————— Thus in all Shows,

More know Jack Pudding, than Jack Pudding knows.

This familiar Instance I chuse to make use of, because I know, that even in the Pulpit, some prefer a Jest before a Text in Scripture, a solid Reason or Testimony out of the Fathers; so that 'tis *Argumentum ad Hominem*, tho' I ought to beg the Bp's Pardon for the liberty of the Comparison: But to be more Serious, What if the Bp did see *Morgan* at School, as he saw several other Gentlemen's Sons? What if in a Complaisant way he took Notice of him, and gave him a Gracious Nod or a Blessing, as he did to many others, Was he thereby oblig'd particularly to remember him all the Days of his Life?

LL. It seems odd, however, that at the time of Ordination he should not be able to distinguish betwixt a School-Boy, or one who had left School but a Year, and a Man of 24.

PAR. I.

M. Does not thy Author, who pretends in the Preface to have taken a short View of the Whole Controversy, know that Mr. *Hugh Powell* positively swore that the Bp would not Ordain *Morgan*, till he had a Certificate of his Age? And why should the Bp have insisted upon it, unless he had Suspicion of his Non-Age?

Ll. But does it appear that the Bp had such a Certificate?

+ Promoter's *M.* Two of your own Party, † *Jerry Griffith*, and * *Barnard* testify, that they heard the Bp had one, and sure you'll believe
8. Witness. them.
• Promoter's
5. Witness.

Ll. If it were so, it was only a Trick of the Bp's; to Indemnify himself.

Promoter's *M.* That's False, for Mr. *H. Powell* being Interrogated whether
2. Witness. the aforesaid Certificate, required by the Bp, was to keep him harmless, or to satisfy him or Both; answered very distinguishingly, that it was to satisfy him.

Ll. I say still, that the Bp might have seen thro' the Cheat if he wou'd.

M. As how? Is the Age of Men to be discover'd as in Horses, by their Teeth? If so, his Lordship was to Blame for not looking in his Mouth before he laid Hands on him; but since our Years are not writ in our Faces, nor any Part of us. Certificates, when any Scruple arises, must pass, or else 'tis very hard both on the Bp's side, and also on the Part of those to be Ordain'd.

Ll. Ay, but *Morgan's* Youth was so apparent, that 'twas visible to any Body almost; for *Daniel Pryce*, Gent. Deposeth, *That when Mr. H. Powell came and desired him to get a Certificate that Morgan was of Age, the Deponent answer'd, that if he had such a one 'twould signify nothing, because every Body, or most that knew the said Morgan, knew he was not of Age.*
PR 13.

M. Every Body, or most that knew him; why then every Body that did know him, according to *Pryce's* own distinction, did not know his being under Years, and well might the Bp be mistaken, to whom *Morgan* was a perfect Stranger.

Ll. Don't Quibble, the Man's upon his Oath, and the Deposition ought seriously to be considered.

M. If you can make any thing more of it than I do, consider it as much as you please: The more you Peel Garlick, the Stronger it will Smell.

Ll. Since you are so short, Sir, let me tell you, and I'll prove it too, that this same Mr. *H. Powell*, whom you bring in over and over to salve up this Matter, is no Honester than he should be; for tho' Mr. *Pryce* told him that such a Certificate would signify nothing, yet he replyed 'tis no matter for that, the Bp. has promised.

fed to Ordain him, if he can but get a Certificate of his Age to Indemnify him, in case he should be question'd for it. How does this agree with what *Powell*, as aforesaid has Deposed? PAR. I.

M. Prithee who is this *Mr. Daniel Price*, Gent. that swears at this Rate? I know most of the Gentry in *Brecon*, and yet I do not remember him.

Ll. 'Tis *Daniel Pryce* the Mercer.

M. A pretty Gentleman indeed; Why should *H. Powell* apply himself in this Affair to him? Did he, amongst other Wares, Sell Certificates?

Ll. No, Sir, but *Powell* thought him a fit Tool to his Purpose, and therefore made his Address to him.

M. As probable as that the Moon is made of Toasted Cheese; for look you, Friend, this same *Pryce* is Son-in-Law to the *Woman at the Bear*, that is to say, Married her Daughter; if you don't understand me, let me observe to you further, that every Body that knows *Brecon*, knows withal that as *Lucy* upheld that *Tavern* by his profuse Expences; so all the whole Gang of them, long before there was an open Quarrel betwixt *Lucy* and the Bp, and afterwards so long as *Lucy* was worth a Groat, were the eagrest People in the whole Diocese for *Lucy's* Interest; and can it be imagined that *Mr. Powell*, a Man of Sharp Parts, and Clean Management, would be such a Fool as to consult *Pryce* in such a Case as this (after the Controversy was begun) who of Course could do no less than Betray the Secret; prove that ever *H. Powel* did such a thing, such a silly thing since he had a Gown upon his Back, and take the Cause, but till then, do not offer such Nonsense in Proof, which is apparently Nauseous and Improbable.

Ll. Thou dost run a perfect Indian Muck at every Body that I produce. Do you think that no Body is to be believ'd but those that swore on your side?

M. I don't say so, but none of the Vile Hackney Evidence as yet produced, can lay claim to Credit. Prithee let's Talk of some Body, or something worth the Talking of: 'Tis a sign the Cause went hard with *Robin*, when he was forc'd to call this Fellow out of his Shop to swear to a Matter he neither understood, nor in all probability was ever privy to; you knew *H. Powell* of old, in *Oxon*; and can you suspect him Guilty of such a piece of Weakness?

Ll. I thought I had known him better than I do; for here are very odd things urg'd against him, and which militate against the Bp too very powerfully.

M. What are they?

PAR. I. *Ll.* Why, tho' he assisted at *Morgan's* Ordination, as he himself confesses, yet being ask'd by the Bp whether *Morgan* were of Age, he answered he could not tell.

M. And where's the Harm if he cou'd not?

Ll. Not after his talking with *Price*.

M. I no more believe he talkt with him about this Matter, than that he had n Dialogue with the Czar of *Muscovy*: Compare the shining Character of *Hugh Powell* with the small Repute that *Pryce* is in, amongst all Honest Men, and his nearest Neighbours; and you can never infer any thing from *Pryce's* Evidence to the Disadvantage of *Powell*.

Ll. I won't Disgrace our old Contemporary so far as to maintain the Parrallel; but notwithstanding 'tis very odd, that when the Bp Pleaded in his Defence, that he refused to Ordain *Morgan* without a Certificate; that *Powell*, who Solicited for the Certificate, and assisted at the Ordination, was not examined as to this Article, which doubtless had he been, could he have sworn up to the Contents of it.

M. Tho' thou hast taken upon thee to Personate the Author, yet do not let that Spirit of Nonsense and Impertinence seize thee, which has possess'd him. What tho *Powell* did Solicit for the Certificate (which for the Reasons aforesaid, I do deny) and tho' he did lay on Hands amongst the rest, yet why must he needs be privy to the delivering the Certificate to the Bp. Testimonials of good Life and Conversation, Certificates, and Titles, are offer'd to the Bp, upon the Candidates seeking for Orders in private betwixt him and the Diocesan; and 'twould be no less than Sawciness in any Presbyter, whatever his Share is in the Act of Ordination to pretend to inspect these Matters, the Bp himself is to do it at his Peril; and since his Lordship, in Proof of his Allegation, did exhibit the Certificate himself, to which *Morgan Llewellyn* owns his Hand was put by old Mr. *Morgan*, and which *Bernard* and *Griffiths* swear they heard was Deliver'd to his Lordship on this occasion; What need was there of further Witnesses?

Ll. Time and a 2d Edition of the Bp's Case, must clear up this and other Allegations; in the mean while, I'll go on to the next Article.

M. Take only this Remark along with you, that as *Circumstantio* in the Comedy never came to the main Matter, so your Fool, after all his Ambages, has forgot to make out; either the Illegality of the Bp's Proceedings in this Case; or his gaining any thing extraordinary by it, *Quod erat probandum*.

Ll. Have a care (as I hinted to you before) of an After-clap, and for the present answer me this. (9.) Why did the Bp neglect to keep

keep any Publick Register, or any Authentick Act of his Institutions and Collations. PAR. I.

P. 14.

M. Since when was that the Duty of a Bp?

LI. Ever since the Confirmation of the 123 Canon, which Ordains, That no Chancellor, Commissary, Arch-Deacon, or Official, or any other Person using Ecclesiastical Jurisdiction, shall Speed any Judicial Act, either of Contentions or voluntary Jurisdiction, without the lawful Register of the Court, or his Deputy.

M. How does this affect the Bp, since those of that Order are not specified in the Canon?

LI. They are included nevertheless in that general Term, of any other Person using Ecclesiastical Jurisdiction.

M. Very fine indeed! As if the Right Reverend Fathers that Composed the Canons, were so negligent of their own Dignity and Precedence, as to Nominate the several Subordinate Officers of their Courts, according to their Stations, and yet to huddle themselves up amongst the meanest of their Officers.

LI. Do not the Bps exercise Ecclesiastical Jurisdiction, and consequently are Included and Comprehended in the close of that Preamble.

M. You and I, Friend, might Wrangle long enough *Pro* and *Con*; but this is a Law Point, and therefore without any further Syllogising, those of the Long Robe, must judge in this Case.

LI. And what do they say?

M. Why 'tis a known Rule amongst them, that whenever there is an Enumeration of Persons, or Particulars of several Ranks and Degrees which goes downward, beginning with the Higher and ending with the Lower, and at last by a General Expression, adding others to be joined with them; that then those others are not to be supposed to be of a higher Degree to that Person who is last mention'd, but either of the same Degree, or Inferior to him: for this, take the Authority of Sir Edward Coke, who is *instar omnium*, and who declares it to have been an adjudg'd Case oftner than once; agreeable to which Assertion, he himself having before him the Consideration of the Statute of *Westm. 2 cap. 41.* which saith, *Si Abbates, Priores, Custodes Hospitalium & Aliarum, Religiosarum Domorum, &c. i. e. If Abbots, Priors, the Governors of Hospitals, or other Religious Houses, &c.* He doth thus Comment upon it, that seeing the Act begins with Abbots, &c. and concludes with the Governors of other Religious Houses, therefore Bps are not Comprehended in it; to the same purpose is his reading upon 13 *El. c. 10.* from which indisputable Authority I infer, that since there is no mention of Bps in that Canon, therefore the force of it does not

at:

PAR. I. at all affect them, and consequently what you urge against the Bp of *St. David's* in this Particular, is of no Validity.

Ll. But might not the Bp have given *Tom. Powell*, the Deputy Register, Room and Opportunity to enter his Lordship's Acts of this sort in the Book, which he swears he brought down from *London* for that Purpose.

M. Why then did he not give his Attendance as such an Inferior Officer ought to have done? Was it fitting that those of the Clergy, who came to be Instituted to Livings or Dignities, should be kept in Suspence till the Son of a *Brecknockshire* Miller should find himself at leisure to mind his own and his Masters Business: For thy own sake do not thus Prostitute the Dignity of the Clergy, much less the Authority of thy Diocesan.

Ll. It had been well however, if the Bp would always have taken care to have had him present, since the dispatching of these Affairs without him, has given occasion to some to have ill thoughts of him, and that as my Author thinks very justly.

M. Some, we know, were very ready to swear any thing against the Bp, and Some were as ready to believe without why or wherefore.

Ll. You can't say so in this Case, for under this Secret Practice all manner of Irregularities might have been committed: For want of proper Witnesses to attest such Acts, Clerks might have been Collated and Instituted without making Subscriptions, and without taking the Oaths either of Simony or Allegiance, if the Bp should think fit to save them the Trouble.

M. Does your Scandalous Author suppose that the Clergy of the Diocess, who came to the Bp for Preferment, thought it a Difficulty to subscribe to the Doctrine of the Church, or to swear Allegiance, or to take the Oath against Simony? Is it not enough for him to Villify the Bp, but he must Scandalize the Diocess too, and under the Pretence of being Witty or Wise, to bring such a Venerable Society of Men in Holy Orders, under the Suspicion of being Heterodox in their Opinions, and Despisers of Government? Let him give his Name to the next Edition (you talk of) if he dares, or own this Scandalous Libel, this Midnight Work of Darkness and Dulness, and if no Body else will Chastize him, I will. I'd have him and all the World know, that the Clergy of *St. David's* are and were as firm in their Loyalty, as *Stanch* to the Doctrine of the Church, and as great haters of Simony, as those of any other Diocess whatsoever; he has stirr'd a Wasps Nest by Villifying us, in order to Defame the Bp, and shall hear of it over and over.

Ll. How-

Ll. However spare thy Lungs, dear Brother, at this time, and reserve thy Strength for Defending the Bp, whose Honour I am now ready to attack with fresh Accusations, under the 2d General Head. PAR. I.

M. Still I defy you, and question not but by thus bearing the first Brunt, and the Prime Effects of your Author's Malice, I shall deal well enough with the Remainder of your Forces.—— But what if before we enter upon another Argument, we should Parly a while, and Refresh. So far as I understand, neither you nor I are under a Vow, not to Eat or Drink before this Cause is over. What say you to a Crust of Bread and a Bottle? Let us unbend for a while, and then as we were, if you're so dispos'd.

Ll. 'Tis in my Mind, a very wholsome Motion; too much dry Talk is enough to tire any Body, begin the Treat as soon as you please.

M. Batchelours Treats, especially in their own Houses, are very indifferent. *Rusticus est Coridon.*

Ll. *Nec Munera spernit Alexis.* Give what thou hast, without any more Ceremony.

M. Have patience but a Minute, dear Lad, and thou shalt have the Best my House affords: I'll only step out and call my Servant, and be with you again immediately.

P A R T. II.

The Bp of St. Davids Vindicated, &c.

M. Since your Author has thought fit to be extraordinary dull, therefore to prevent Infection, and to clear up our Spirits under that heavy Task we have taken upon us. I have brought thee a Bottle of the Best that my little Cellar affords.

Ll. What is it prithee?

M. Even right Good Claret; Part of a small Hamper bestow'd upon me this last Summer by an honest Sea Captain, that lay some time in *Milford Haven*. My Service to you.

Ll. Mine

PAR. II.

Ll. Mine to you again.

M. Well, How do you like it?

Ll. The best that I have tasted this many Years.

M. Will you take the other Glafs?

Ll. By and by. A Man must not be too Free with such brisk Liquor. I would advise you Friend, not to meddle any more with it, during this Debate, for you are of your self abundantly too Hot. Whenever I produce an Evidence, Bless me, how thou art Inflam'd! This is a Lyar; that Perjur'd; the to'ther a Mercenary Hackny Evidence! If you would be a little more Calm, the Business would go on much more easily.

M. What Man that has a Zeal for God's Glory! Any Regard to Honesty, Justice, or good Faith, can hear People wilfully Perjuring themselves, and take it patiently. Nay to hear a Parcel of Rogues doing what they can to Damn themselves, meerly to Defame the poor Bishop, who has offended in nothing (*quatenus Bp.*) so much, as in being too Kind and Indulgent towards them. Such Impudent Impiety and Ingratitude, is enough to provoke a Stoick, and make him quite renounce his Apathy.

Ll. But remember that you're a Christian, that Meekness and Moderation are especially requir'd in the Disciples of the Blessed Jesus, and do not lash-out so Indecently.

M. Thou talk'st like some that I have heard of, who are never for Moderation, Condescension, &c. but when the Rites of the Church are at Stake, when the Subject Matter so requires, I can shew as much Tenderness as any Man; but when *vain Talkers, Deceivers and Lyars* advance their Heads, and think to bear down Truth and Innocency before them, such I believe may be Scour'd off, or else I am at a Loss how to Interpret that Passage of St. Paul to *Titus*, wherein he requires us to *rebuke them sharply*.

Ll. Can't you do it without ill Words and bad Names?

M. If your Party-Men do very ill Things, you can't blame me for giving Persons and Things their proper Names and Colours. I only call a Spade a Spade. Demonstrate to me that I have wrong'd any one as yet produc'd, and I'll publicly beg his Pardon in all the Market-Towns of the County.

Ll. Take your own way, for I see you will have it. Some of those that are now to come on, are the *Bp's* Friends, and to those I question not but you will be Civil; the Rest are Persons of that Established Reputation, that they fear no man's Censure.

M. Then they may prove good Company. Let's hear what they have to say. Your next general Head, as I remember, is *Illegal Exactions*. What Proofs have you?

Ll. In

Ll. In the first place, the Bp's own Confession. *This Practice of* PAR. II.
his, the Demanding and Taking excessive and illegal Fees for Ordinations,
Collations, and Procurations was so General and Notorious, that as him-
self Alleg'd, he was Indicted in the Temporal Courts, for Extorting un-
due Fees for Institutions, &c.

*See the 25th
 Article of
 the Bp's first
 Allegation,
 Sum. View
 P. 15.*

M. That is to say the Bp Pleaded his Indictment, as a Confirmation of the Notoriety of these his illegal Practices, and thereby own'd his Guilt.

Ll. What else?

M. Nothing but only that this Author is one of the most Spiteful, Unfaithful Scriblers, that ever presum'd to impose upon Mankind.

Ll. As how?

M. Why in this very Particular. The Bp, as he very well knows, did in his Allegations represent to the Ecclesiastical Judges, how that *Robin Lucy*, after he had entred himself Promoter before them, did nevertheless Indict his Lordship in the Temporal Courts, for some of these pretended Crimes which were then under their Cognizance; by which Plea the Bp supposed he should incline his Grace and his Assessors, either to leave those Points to be Try'd in the *Kings-Bench*, or else to take due notice of *Lucy's* Impudence, in thus notoriously Affronting their Jurisdiction: This is the true State of the Case, and what I have said of thy Author is true.

Ll. No, 'twas only my Mistake, I misapprehended his Meaning.

M. Then Construe his Words some other way, and carry him clean off if you can.

Ll. This Practice of his was so General and Notorious, that as himself alledged, he was Indicted——Umph——Let me see——O now I have it. My Author values not to what End or Purpose the Bp fram'd this Allegation; his Lordship owns the Indictment, and that proves his Illegal Practices to be general and Notorious.

M. That I deny again, for a Man may be Indicted for several Crimes, such as Treasonable Words (spoke perhaps in private) Theft, tho' committed very silyly and cunningly, and Twenty Things more that I cou'd mention, which are neither General nor Notorious. Had the Grand Jury, out of a Sense of the Strictness of their Oath, and upon a general Fame, that the Bp was guilty of Illegal Exactions presented him; then that Presentment might have come up to your Author's Purpose; but to Argue that because *Lucy*, and One or Two more that were in his Interest, preferr'd Bills at the Assizes against the Bp, that therefore the

PAR. II.

Bp's Extortion was Notorious and General, is such a Conclusion as no Man would offer to draw, but one who has Sacrificed his Reason to Falshood and Malice.

Ll. 'Tis I confess a little Sophistical.

M. Thy Author has not (if we must take it that way) Brains enough to pretend to Sophism: I wonder how, in the Name of God, he came by his Doctorship? Sure he owes that Splendid, Empty Title to a Potent *Mandamus*, or else if he did Commence, he took his Degree *per Saltum*, and left all his Logick behind him.

Ll. To take you off from your Raillery against him, pray answer me this, Is it not a heavy Scandal upon the Bp, that he should be thus Indicted?

M. Had the Crimes whereof he was Accused been judicially prov'd against him, 'twould have been as you say; but for *Lucy* and one or two more like himself, to pretend to begin a Process or Prosecution in the Temporal Court, and afterwards, when by swearing they cared not what, they had procured the Bills to be found, then to drop the Cause, and appear no more in it, seems in my judgment to be a Trick put upon Authority, and a Malicious Abuse of the Bp.

Ll. There was something more in it.

M. Yes, a Design, thereby to give the greater Weight to the Depositions against the Bp in the Court at *Lambeth*, and for any thing I know, the Stratagem took effect; for otherwise, by all that I can understand, what was Swore in the Court of Audience was not worth the Hearing.

Ll. Sure you do not know what was prov'd.

M. Perhaps I do not; do you inform me.

Ll. So I will. First then as to excessive Fees taken at Ordinations; By the 135 Canon, *A Bishop is absolutely Prohibited from taking any Fee or Reward himself, directly or indirectly for admitting any into Orders*; but that the Bp himself did take Money for admitting Persons into Orders, stands abundantly proved: *Ergo*.

M. *Nego Minorem*.

Ll. Then thus I prove it; *Tho. Powell Swears, That in the Year 1688. he was Employed by the Bp as his Secretary, and did at Two Ordinations receive the Fees for Orders and Licenses, thus distinguished, 5 s. for Examinations, 5 s. for Subscription, 10 s. for Orders, and 12 s. and 4 d. for a License to serve the Cure, to which the Party Ordain'd had a Title; and that he, the Deponent, did Account with the Bp for the Fees of the Letters of Orders and Licenses aforesaid.*

Then Robert Douglas, who liv'd with him a Year and a Half, from Nov. 1688, Swears, That all the time he liv'd with the Bp, the Bp took 10 s. for all Letters of Orders.

3dly,

Promoter's
3d Witr.

Opp. Witr.

3dly, Wilfray Pyemont, *Servant for Six Years, Deposeth, That for all that time he, this Respondent, did receive the Secretaries Fees, viz. For Subscription 5 s. for Letters of Orders 10 s. and if any License to Preach or serve a Cure was granted, 13 s. 4 d. more for that: And in another place we find that this Pyemont was not Secretary himself; for there he Swears that he was the Bp's Gentleman, and was by Agreement to have 20 l. per Annum, part of which he was to receive out of the Secretary's Fees, and if they fell short of that Sum, the Bp was to make it up.* PAR. II.
Bp's Witness.

M. Prithee make hast, and come to the Point.

Ll. I am just upon it. From all which Proof it evidently appears, that the Bp either took the Fees for Ordinations himself, as Douglas swears; or others receiv'd the Fees, and accounted to the Bp for them, as Powell and Pyemont both Depose. P. 17.

M. All that I find prov'd is what I said before, that thy Author is no Logician; knows no more how to Argue, than I do to Dance upon the Rope.

Ll. Can any Conclusion be Stronger than what you have now before you?

*M. It smells strong indeed of Malice and Ignorance, but there is not one Grain of True Reason in't: The thing to be prov'd was, that the Bp took Money for admitting Persons into Orders, contrary to the 135th Canon. Now instead of proving this, the Sum and Substance of your Evidence reaches only thus far, that after the Candidates were examined and admitted into Orders, then for certifying their Ordination, for Letters of Orders, as the Witnesses word it, 10 s. was taken by the Bp's Servants, and Accounted for; which falls *Toto Caelo*, short of what you would fasten upon him.*

Ll. I may now justly say, that this is distinguishing betwixt the West and South West side of an Hair. If Thomas Aquinas or Duns Scotus were alive, they'd scorn to insist upon such a Nicety, upon Nothing.

M. Why then I must tell you, that you Talk too fast; for I'll maintain it, that there is a great and real difference betwixt taking Money for admitting Persons into Orders, and the taking Money for giving them a Testimonial of their Ordination; the One a Bp may not do, either directly or indirectly, by himself or any other, ('twould be the greatest Symony if he shou'd) the Other any Person or Persons under the Bp may do, according to the express words of the Canon; only with this Limitation, that they receive not above 10 s. and since you cannot prove that the Bp's Servants received more, you prove nothing. Is the 10 s. a Fee for admitting into Orders, as your Author would have it? Then all the Bps in

See the Canon.

PAR. II. *England* are Guilty of Simony, and the Canon it self is Symoniacal, which requires it shall be paid to some one or more of their Officers; but if it be only a just and reasonable Reward for those that procure Parchment and Wax, and who Write and Seal the Instrument, then your Author is something I am unwilling to name, to endeavour to make that Criminal in the Bp, which is the common Practice, and allowed, nay, established by the Laws of the Church.

Ll. Hold, Sir, mark a little more strictly what has been Deposed, and you'll find that the Bp in effect had the Money thus paid, which, with your good leave, seems directly contrary to that very Law, on which you rely for the Bp's Justification, for *Powell* Swears that he *did account to the Bp for the Fees of Letters of Orders.*

M. And upon the Ballance what did he pay?

Ll. That is not mentioned; but without doubt the Bp had it, whatever it was.

M. That's begging the Question; and more than so, 'tis the supposing a thing not to be suppos'd; every one that knew *Tom Powell*, knew that he would serve neither God nor Man for nought, Witness the large Estate he scraped together, from a very bare and beggerly Beginning, by being a Servant under *Robin Lucy*. He Accounted with the Bp, so did *Pyemont*, who was to receive his 20 l. Wages out of the Secretaries Fees, if they amounted to so much; which they did not, and therefore the Bp was forced to make an Addition out of his own Pocket; Here's an Account Stated, without any Gain to his Lordship, *Pyemont* who perform'd the Office of Secretary, going off with the Fees; and that *Powell* did the same in this Instance, is not to be doubted, because had he actually paid the Money to the Bp, he would positively have sworn it, as being a Witness that had too much Spleen and Malice to conceal any thing that might tend to the Discredit or Disadvantage of his *Quondam* Lord and Master; nay more, that *Powell* himself does make this very distinction betwixt *Accounting with* and paying to the Bp, is evident from his own Words in another Deposition of his.

P. 18.

Ll. But then *Douglas* swears positively that the Bp took 10 s. for all Letters of Orders, during the time he lived with him.

M. Thou catch'st at every little Advantage, as if thy own Salvation depended upon the Condemnation of thy Diocesan; Does *Douglas* swear that the Bp did, with his own Hands, receive the Money from the Persons Ordain'd, and convert it to his own Use? No, I dare swear for him, he meant no such thing; but only that so much was taken by the Bp's Order; for otherwise how will

Powell's

Powell's Evidence and *Douglas's* hang together; *Powell* Deposing that he in 1688. receiv'd the Fees at Two Ordinations, and *Douglas* swearing that in 1688. he was the Bp's Servant. PAR. II.

Ll. If there were such an Office as Execution-Master-General, thou wouldst carry it off from a Thousand Competitors; prithee exercise thy Faculty a little further, and tell me, Was it not Mean in the Bp to keep no Secretary, but thus to make up the Wages of his Menial Servants, out of the Fees belonging to that Office?

M. Let me but know by what Law Secretaries are establish'd as necessary Appendants to the Bps, and then I'll answer you. The Canon which directs the Payment of the Fees, now under Consideration, mentions them not; any Person or Persons under the Bp, let them be who they will, the Poor of the Parish (if the Bp thought fit) might be the Men.— I can't but smile at thee, to think that thou shouldst propose this as a Difficulty; for my part, whatever their Lordships may do, for their Ease or Grandeur, I no more think them obliged in Conscience to keep each of them a Secretary, than they are bound to keep a French Cook, a Valet de Chambre, or Possilion. *Pyemont* you find, was Secretary in Effect, to all good Ends and Purposes, only the Bp would not adorn him with the Title, lest, like some Pert Coxcombs of that Denomination, he should pretend to top upon the Clergy, and come in for a Co-adjutor and Fellow Governor, as it was in *diebus illis*; when *Robin Lucy*, like *Hopkins* of old, ruled the Roast, and did almost what he would in the Diocese.

Ll. That's very true I profess. Thou hast pleas'd me so well with that Answer, that I'll drink to thee with all my Heart. Here Friend, all Wrath and Bitterness apart: My Service to thee once more.

M. Thank thee good Brother.

Ll. But prithee let me beg one thing of thee. Don't Scoundrel my Dr. as thou hast done hitherto. I'll assure you, I'm told he's a Person of Figure, and ought to be treated with Respect.

M. Why did he not then put on his *Fiocco*, and appear in that Name and Title whereby he is Dignify'd and Distinguished. If he be as thou woud'st have him, a Man of Quality and Parts, Why does he thus engage *Incognito*? And what is more strange and uncommon. Why does he keep his Reason and his Honesty *Incognito* too? For I cannot perceive the least Appearance of either in this Narrative.

Ll. Still at him—Well, I'll intreat no more, for I find it is in vain.

M. Well Friend, rather than disoblige thee, I'll promise thee, I'll give him no hard Words, unless he throw himself intolerably
Impudent

PAR. II. Impudent or False; but if he does talk fillily, you'll now and then allow me the Liberty of my Riffibility, and give me Leave to Laugh at him.

Ll. Ay, thy Belly-full, if there be occasion.

M. Well go on. What's that you're reading to your self?

Ll. As it happens nothing that's Material, the Author supposing he had proved this Part of the Charge very comprehensively. Tells us he will not trouble us with the numerous Depositions of those several Clerks, who paid the Bishop himself or his Servants the 10s. Fee.

M. But had he given us one or two out of that vast Number (which he can no more do than a Gardiner can Raise Pike-men and Musketeers out of a hot Bed) We should have been very glad to have heard what they could have said, and should have thought it no Trouble at all.

Ll. Beware of the more Voluminous Account.

M. Let those look to that who are to answer the Books writ after Dooms-day.

Ll. Say you so. But what think you to this Remark of his, that the Bishop continued to receive the same Fees at an Ordination in June 1696, which was the time after the *Promoter's* Articles were given in.

M. Only that in the Manner aforesaid, he will do so again, I hope in 1706. It is an Argument of his Innocency; that he knew he could Justify what he did, and therefore continued his Practice notwithstanding the Malice of his Adversaries was broken out openly against him.

Ll. So let it be. Now I'll pass on to another Branch of the Charge. Excessive Fees for Collations. In these the Bp was more Arbitrary, and did not keep up to any steady Measure of Injustice.

M. If he were guilty at all, 'tis highly probable that sometimes he might be very Exorbitant in his Demands; because when a Man has once broke through those Bounds the Law has set him, he himself knows not where he may stop: But prove first of all, if you can, that the Bp did once Transgress in this kind.

Ll. That will soon be done. For the *Promoter* exhibited the Copies of two Tables of Fees, subscribed by the Deputy Register and two Publick Notaries. The Subscriptions were confess'd by the Bp's Proctor; and the Subscriber to one of them (Tom Powell) swears that it agrees with the Table of Fees which hath many Years hung in the Registry. In this the Fee for a Collation is 20s. in the other 18s. 8d. The Bp observed neither of them for the same. Tho. Powell Deputy Register further deposes, That the Bp in a Letter to him, dated the 22. of Dec. 1688,

gave

gave the Deponent Instructions to receive pro Collatione 5 l. 16 s. pro PAR. II. Subscription 5 s. pro aliis Instrumentis Sigillatis 13 s. 4 d. Powell goes on to name several Persons from whom he receiv'd Fees according to the Directions from the Bishop, and then adds, that the Sums so received, he the Deponent did account for, and pay to the Bp.

M. Before I answer directly to this Charge, give me Leave by the way to observe to you, the Difference betwixt the Close of this Deposition of Powell's, and that which we had p. 18. of your Book, and 8th of this; there he tells you, that for the Letters of Orders he only Accounted here, that for the Collations he Accounted and Paid the Money to the Bp; from whence I think it plainly follows (as I there observed) that he did not pay the Money for the Letters of Orders to the Bp otherwise, as in this Case he would undoubtedly have sworn up to it.

Ll. That Matter is over with us, but how you'll get thro' this, I do not apprehend. If Law will bind you, I think I have you fast now. 'Twas time there should be a Reformation in the Dioceses, when things were come to this height.

M. Nay let it be a *through Reformation*, and go over the whole Province.

Ll. What need is there of that?

M. Because it is well known, that in some other Diocesses the Collation Fees do exceed what is mentioned in those Tables. Particularly as to the Diocese of *Canterbury*, it has been in Proof, and was particularly confirm'd by the Deposition of Mr. *Charles Pryce*, that the Fees for Institutions have been and still are greater than in the Bishoprick of *St. David's* for Collations.

Ll. That may be, and yet the Bp of *St. David's* may be Guilty.

M. Is not that which is Sauce for a Goose, Sauce for a Gander? Or do not the Canons oblige other Bps, nay even his Grace himself, as well as our Diocesan.

Ll. Perhaps not as to the *Quantum* in this Case; for if you look into the Constitutions Ecclesiastical, made 1597. *de Foedis, &c.* you will there find, that there is a Latitude granted for Demanding and Receiving larger Fees, provided that *Usus frequentior* — *approbaverit*. If Custom have approved the doing it.

M. Thank you for that; then will I prove in the Bp's Vindication, that it has been all along usual to receive as much, if not more, for Collations, than ever he demanded: So it was in Bp *Lucy's* time, who came in upon the Restauration of K. *Char.* 2d.

Ll. Unless you are resolved to Disgrace the Bp for ever, do not make *Robin Lucy's* Praeface in his Fathers Days, a President or Rule for what ought to have been done by your Bp. Bp *Lucy*

PAR. II. was a good Old Man, but as you have hinted before, this Son of his was then a Sad Lad: There's a Friend of mine that in those Days went with 10*l.* in Pocket to *Brecon*, in order to be Collated, and was forced to leave every Penny of it in *Robin's* Hands, before he should have his Instruments.

M. Ay, and *Nich. Roberts*, our Neighbour, for an *Institution*, &c. paid to the very same *Robin*, 12*l.* compleat. Is not this a fine Fellow to be a Promoter, who has been so scandalously Guilty of Extortion, that the Diocess Groan'd under his Oppression? I could give you 20 Instances of the like sorts.

Ll. I know you may, none of the Old Clergy in the Diocess can deny it; nay *Robin* himself confesses it, and is sorry for these indiscreet Practices of his Youth. But when he himself was weary and ashamed of those Pranks, was it fit that my Lord Bp should be no wiser nor Honefter than to play them over again, since no Body else would do't: *Robin* makes some amends to the Diocess for his former Liberties, by thus preventing the Depredations of the Bp.

M. There you're out. For if the Bp did make any Mistake in his Demands of this kind, 'twas thro' the Misinformation that *Lucy* himself gave him, and other Secretaries of preceding Bishops. For it has been in Proof and still can be made out under *Lucy's* own Hand, and the Hand of Mr. *Thomas* (Son, and Secretary to the Bp who succeeded *Lucy's* Father) that 6*l.* 1*s.* were the Stated Fees of of the Diocess for Collations, and 13*s.* 4*d.* for every other Sealed Instrument, so they themselves receiv'd, and whilst they did so, no body that ever I heard of, grumbled at them. Mr. *Thomas* is dead, so I have nothing to say to him, but all the World must needs look upon *Lucy* as a base and treacherous Villain. 1st. To take those Fees himself in his Father's time, then to acquaint the Bp that such Fees were his undoubted Due and Right, and afterwards to prosecute him for Acting pursuant to this Information: Nay what is more, for acting agreeable to the Practice of Bp. *Thomas* and Bp *Womock*, who succeeded that good Man, who was unhappily Instrumental to the bringing of this evil Beast into the World.

Ll. Never did any of the Mobb take greater pleasure in bedaubing a poor Wretch in the Pillory, than thou dost in Pelting Mr. Register.

M. He very well deserves it, and I hope 'tis but the Prologue to a Pillory-penance.

Ll. But hark you, Sir, suppose *Lucy* did give the Bp these Instructions, this Information, or what you'll call it; yet the Bp did not stint himself so, 6*l.* 1*s.* was not always enough for a Colla-

Collation, for *Peter Lewis* paid for his Collation to *Llanryan* 8 l. PAR. II.
14 s. 4 d.

M. We read of one *Peter*, that after he had done an Ill Thing went out and Wept bitterly, heartily Repented, and became a New Man; but this *Peter* of thine continues the same still; Swears thro' and thro', whenever he enters, as if he had been Hir'd and was Resolv'd to Forswear himself at every turn.

LL. Where lies the Falshood of what he Deposes now?

M. Why he had the *Relaxation*, and *Sequestration*, and *License* to Preach, each of which, according to the usual Fees of the Diocess, cost 13 s. 4 d. and thereby added to 6 l. 1 s. made up 8 l. 1 s. over and above which, he had a Dispensation for *Non Residence*, which unriddles the mighty Mystery; for, 13 s. 4 d. added to the other Sum, makes up just 8 l. 14 s. 4 d. And tho' *Lewis* could not o-therwise than know the Sum he paid was so much the greater, by Reason of those additional Instruments, yet hoping to do his Benefactor and Patron a Mischief, and supposing that what he thus Maliciously Deposited, would have passed, he Swore at Adventures, but afterwards being cross *Interrogated*, he Confess'd he had several other Instruments (as aforesaid) in Consideration of that Money, and thereby own'd himself, as to the former part of his Deposition, Perjur'd.

LL. For his own sake, I think, I must dismiss my Friend *Peter*, and shall trouble you no more with him. But what say you to Mr. *Barnet*? Who Deposits, That he paid 9 l. or 2 s. more or less, and that Dining with the Bishop, about a Week after his Collation, the Bishop told him one thing was forgot; namely, the taking a License to Preach in his Diocess; whereupon the Deponent was oblig'd to take out one, and pay 13 s. 4 d. for it, over and above the 9 l. aforesaid; so that, according to your own Reckoning, here's above 32 s. of filthy Lucre plainly.

M. To whom did *Barnet* pay all this?

LL. To the Bp himself, as I suppose.

M. Then you're mistaken; for if you look to his Deposition (I think he was the Promoter's Witness) you'll find that the Money was paid to Mr. *Slingesby*.

LL. But has not *Slingesby* sworn that what he receiv'd upon such Accounts he paid to the Bp?

M. Yes, and the very same Person offered to be deposed before the Arch-bishop, that he receiv'd of *Barnet* but 6 l. 1 s. for Collation, and 40 s. more (as usual) for other Sealed Instruments. But such a piece of cross Evidence, would it seems have perplex'd the Cause, and have hindred the Arch-bishop from going on the Me-

PAR. II. thod he had resolv'd with himself. Nevertheless to justify his Lord (so far as he could) Mr. *Slingsby* did depose before a Master in *Chancery*, that he receiv'd no more of *Barnet*, than 8 l. 1 s. and that he accounted to the *Bp* for no more.

Ll. There has been sad Swearing in this Case!

M. So there has! But God has appointed a Day wherein he will judge the World in Righteousness, and then the Secrets of all Hearts shall be disclosed, and every one rewarded according to his Deeds. If in the mean while his Vicegerent, our Great and Gracious Queen, would be pleas'd to Order a second Hearing of this Cause, here on Earth, I doubt not but enough of this horrid Contrivance against the *Bp* would be detected before Men, the *Bp* be clear'd, and his Enemies cloathed with Confusion, as all Villains ought to be.

Ll. I do not care if for once I wish along with you. What Mr. *Slingsby* swears does in part take away from the Credit of *Barnet's* Testimony; but what say you to the 13 s. 4 d. afterwards, when he came to dine with the *Bp*?

M. That's more like a Lye than the former. 1. In that he is the only Person in the whole Diocese that swears the *Bp* forced a License upon him, or oblig'd him to take it. 'Tis convenient that every of us should have one, because we cannot (in strictness of Law) preach in any other Church but that into which we are Instituted; and therefore for our Convenience, and to Qualify us to do a Neighbour in Sicknes, or in his Absence a good Turn; Licenses are tendred us; but it was a force upon Mr. *Barnet*, he says, if any body will believe him. Now since he swears that he paid the 9 l. and upwards to Mr. *Slingsby* upon his Collation, and 13 s. 4 d. afterwards, Would it not have been the nearest surest way to have detected this piece of Roguery (wherever it lies) to have examined *Slingsby*, as to these Receipts, and as to Particulars of his accounting with the *Bp*: then it would have been discovered, whether or no *Barnet* had not his License at first, be according to *Slingsby's* own Confession, having then paid. And if upon enquiry, it should have been found that he had sunk the first 13 s. 4. to his own use, or that the *Bp* exacted it twice over from *Barnet*. The right Horse might have been Saddled, and used as he deserved. But *Barnet* had sworn it, and it was not worth the while to allow the *Bp* the Opportunity of Clearing himself. Since he was according to that of *J. Dryden* (of Poetical Memory) doom'd to Death. Yet (as I hope) *Fated not to Die*.

Ll. O Sir, the Tryal is not over yet by far. There are heavy things in Reversion against the *Bp*, which will sink him in spite of

of Fate, and all your fond Hopes. *It were endless to run through all the Particular Instances of the Bp's excessive Exactions in that kind, and needless too, considering how many are crowded into Mr. Powell's last Invoked Deposition.*

M. 'Twill signify not one Farthing, as has already been demonstrated. Your Author has too much Spleen against the Bp, to omit any thing that might turn to his Dishonour or Defamation, and does apparently give every Passage a more spiteful Turn, than it will bear upon due Examination. Accuse him as much as you please, I'll still defend him, and that with Truth, Law, and Reason. What is your next Instance?

Ll. Why, there's one behind not to be omitted, because 'tis attended with a pleasant Circumstance.

M. Let's have it by all means. For tho' your Author has a very serious Matter in hand. Yet as his Brother Ignoramus says. *Licet frangere jocum quamvis sit super vitam hominis.*

Ll. Remember your Promise, and don't abuse my Dr.

M. I won't. But since he's upon a merry Pin, why may not I jest a little too? Come out with it. Stoppage of Wit may be worse than stoppage of Malice.

Ll. Then thus it is: *In 1690. the Bp wrote a Letter to Mr. Meyrick to send up John Lloyd to Burrough-green in Cambridge-shire, to be his Lordship's Curate there. Meyrick supplying him with Money, Lloyd went mounted on a Coach-Horse of the Bishop's, as the Letter directed. But when he got to Burrough, the Bp told him he was provided of a Curate, and perswaded him to accept of a Collation to the Vicaridge of Llangan, of about 21 l. per An. For the Fees of Collation, and a Horse not worth 40 s. Lloyd gave the Bp a Bond of 13 l. or 14 s. which Bond, the Deponent (Edm. Meyrick) saw.*

M. Which of all these is the pleasant Circumstance?

Ll. How ill-natur'd thou art? 'Tis Lloyd's being Mounted on the Bp's Coach-Horse.

M. Had he rid him up in his Harness, 'twould have been a Quieter sort of a Spectacle, but as he was tolerably Equipt, and extraordinarily mounted upon a Gelding 15 Hands high and upward, and 20 Guineas Price. I think it was not half so comical as if the humble Levite had Scamper'd through so many *English* Towns upon one of our own Country Titts.

Ll. Nay if you won't apprehend the Joke. The explaining or proving of a Witticism takes off all the Gaiety of it. To be serious then, pray excuse your Bp in good Earnest if you can. Why should he send for a poor Curate up, turn him off afterward, Jockeying him with an old batter'd Horse, and making him pay so dear for a little mean Living.

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M. No more Questions till I have answer'd some of these. As for the *Bp's* sending for him up, I hope there's no Harm in that, *Lloyd* being Qualify'd for the Place, and Glad enough of the Advantage design'd him. But not coming time enough, *Dr. Harrison* undertook the Cure. Wherefore to Recompence *Lloyd* for his Disappointment (how little soever he deserv'd it, because of his Loytering too long) the *Bp* gives him a Vicaridge here in *Wales*; and yet, let me tell you, that however grievous it may be to a *SCOT*. Yet a true *Briton* never takes it ill to be Banish'd into his own Country. But after that he had made that suppos'd Raree-Show (as your *Dr.* would have it) of Riding up the Coach-Horse to *Burrough*, that then he should give 4 *l.* for another less Horse. This is the Grievance or the greatest Part of it, if I understand Mr. Author.

Ll. Mr. *Meyrick* swears he was not worth above 40 *s.*

M. That's Demonstration to me that he was certainly worth more.

Ll. How so?

M. Because according to the Observation aforementioned, when he swears he always Lyes.

Ll. This is Railery, not a Rag of Argument in it.

M. Have you forgot how wretchedly he forswore himself about the Prebendal Lease, and here again we have him as fast as the Devil could wish. For Mr. *Job. Gwyn*, who saw the Horse, when sold to *Lloyd* has deposed, that to the best of his Understanding, he was worth 4 *l.* That he himself upon a Journey had 4 *l.* 10 *s.* offered for him. Mrs. *Hyde* swears she had 5 *l.* offered for him before *Lloyd* took him from *Burrough*, and to pin-up the Basket, and to Nail down *Edmund* for a Perjur'd Wretch, the Horse was afterward in a fair way of Bargaining sold for 4 *l.*

Ll. Suppose it, and suppose withal, that the *Bp* lent *Lloyd* 3 *l.*

M. That's certain.

Ll. Let me go on to what I have to say. Were it so, or be it so; yet the Disappointed Curate paid very great Fees for Collation to a small Vicaridge.

M. Tho' your Author makes the Bond to be for 13 *l.* or 14 *s.* yet the precise Sum was 13 *l.* 5 *s.* So that his Lordship, instead of exacting upon *Lloyd*, as your Author would insinuate, remitted to him 1 *l.* 16 *s.* of what he lawfully might have demanded; and tho' Mr. *Dr.* is pleased to stile *Lloyd* a disappointed Curate. Yet since the Bishop gave him a certain Being instead of an Uncertainty, and that double the value of whatever he had before in the Church, unless by the Power of Rhetorick or Sophistry the can alter the Reasons of things and transform a Benefit into an Injury. *Lloyd's* Disappoint-
ment.

ment was such an one as he had great Reason to be thankful for. PAR. II.
At this rate a Man may be Blasphemed for doing good, and condemn'd for Acts of Charity and Benevolence! Have you any thing more to say in this Cause?

Ll. No. I'll presently pass on to another, only let me observe to you, that if the Bp's Demands were not in themselves unlawful, yet he had a very sly way of Raking Money together from his Clergy, in that he usually Remov'd several Persons to several Livings upon the Vacancy of the first. So Walter Watkins, one of his own Witnesses deposes in answer to an Interrogatory.

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M. Who is this *W. Watkins* that made this narrow Inspection into the Bp's Management of his Preferments?

Ll. I can't tell you who he is, further than that I have been Inform'd, that he is a Clergy-Man, and one of the Bp's Witnesses.

M. 'Tis an odd sort of an Oath, for which I am afraid *Watkins* had not sufficient Grounds. I wish he were not ensnared by the fallacious wording of the Interrogatory to depose he knew not what. I have taken Notice of most of the Changes that have been in *Caermarthenshire*, *Cardigan-shire* and *Pembrook-shire*, and I never could observe any thing of this Artificial Circulation. If when a Person of considerable Merit and Interest prevails for an advantagious Removal, or another who has a mind to better himself, did sue to the Bp to succeed in what was thus vacated by Cession, 'tis far from being Criminal in the Bp to Reward the Deserts of Both. Had his Lordship, when a good Living fell into his Hands made a Practice of Removing and Transplanting his Clergy hither and thither to their Loss or Disadvantage, Mr. Promoter might have made an Article of it, and produced his Witnesses to prove it, which would have been a much more laudable way, than by a cross Insinuating Interrogatory to delude an honest, perhaps simple Sort of Man, to answer in such a manner as the Bp's Friends cannot account for, nor his Enemies make out by Proof. Why was not *Tom Powell*, *Douglas*, or *Pyemont* ask'd this Question who Speeded the Instruments for the Clergy that were preferr'd. Or why was it not put to Mr. *Hugh Powell*, or some other Eminent Clergy-man of the Diocese, but this obscure Person *Watkins* must be examined as to the Bp's Conduct. *Powell* could have given Satisfaction in the Point, and as it appears from his Inclination and Readiness to swear any thing to the Bp's Prejudice, would have been spiteful enough in his Information, could he have said any thing to purpose. This Dr. will not leave his Tricks, tho' I have promised to forbear Chastising him.

Ll. There's no great Harm done on any side.

M. None.

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M. None at all, God be thank'd. All that I can discover from this Passage, is the Malice of the Promoter, who Betrays the Wickedness of his own Heart, by endeavouring in vain to Scandalize the Bp.

Ll. Let the Promoter be what he will, 'tis certain the Bp was too much intent upon getting Money, and if he did not make those political Removals to fill his Baggs, yet he had no Mercy on his poor Clergy, when they came within his Clutches. No regard to the small Value of the Preferments he bestow'd; in that he wou'd not proportionably lessen his Exorbitant Demands.

M. Don't call his Demands exorbitant till you prove them so. You have fail'd to do it as yet.

Ll. Well then, since you will have it so, he did not lessen his Demands proportionably to the small Value of the Preferments he bestow'd.

M. Since when was it Criminal in a Person not to bestow a Favour. But come shew whom he has screw'd and tortur'd by demanding Fees, that in Equity (laying Law aside) ought not to be paid.

Ll. *Why Edm. Gwynn, one of his own Witnesses to an Interrogatory, Swears, That for his Instruments and Collation to a Prebend, of about 40 l. per Ann. reserved Rent, he paid 5 l. 11 s. and for his Instrument and Collation to another Prebend, of about 7 Nobles per An. 3 l. that the Bp said he therein used him kindly.*

M. And so he did; for he might have demanded 6 l. 1 s. for each.

Ll. When will *Ned Gwynn* be a saver by these Places?

M. Never trouble your Head about that; he was always a frugal Man, as we very well know, for 'tis not very long since he left his Neighbourhood — But to the Business, as Despicable as these Preferments are, according to your Author's Representation; yet with us they are very Honorary, and well is he that can thrust himself into either the Cathedral or Collegiate Church: He had a mind to have a Stall in Both, and because of his long standing in the University, his Learning, Good Life and Conversation, the Bp gratified his just Expectation. True it is, his Prebend in *St. David's* is but small, but then it ought to be considered (besides the Honour of it) that it qualifies a Man for being Chosen into the Number of the Canons Residentiaries, who have sweet and easy Places: Then as for the other Prebend, in the College of *Brecon*, that tho' the Reserved Rent be small, yet there is a good Corps belonging to it, which, upon the Renewal, brings in a handsome lump of Money; and since *Ned Gwynn* was desirous to be thus Prefer'd, and very Able to go to the Charge of such a Promotion, 'tis beyond the reach of my Understanding to conceive where the Hardship lies; especially if it be considered what large Abatements the Bp made of what he might justly have demanded.

Ll. *Ned*

LL. *Ned Gwynn* undoubtedly thought otherwise, or else why did he give this in Evidence against the Bp. PAR. II.

M. Don't Abuse him along with the Bp, 'twas none of his Design, nor had he any thing to say that might tend to the Bp's disadvantage; his Business was to give a Testimonial of the Bp's good Life and Conversation, of his Lordship's Hatred against Symony; against which Heinous Sin he had heard the Bp frequently declare, with a great deal of Zeal, his Abhorrence. This, and more than this, he frankly and fully attested, as may be seen at large in his Depositions. But the producing of such an *Elogium* of the Bp would no way answer that Author's Purpose, wherefore he silyly omits that, and brings in his Reply to cross Interrogatories, urging him to declare what Fees he paid for his Preferments. This Mr. Dr. supposes might give an Ill Colour to the Bp's Management; but observe how unlucky your Dr. is at chusing Mediums to strengthen his Accusation. Instead of proving the Bp to have taken Exorbitant Fees (a hard Word that he does not understand it seems, tho' he often makes use of it) it appears, (1.) *That his Lordship did not take what he really might.* (2.) *That Mr. Gwynn's Testimony taken either in parts or altogether, is by no means to the Bp's Discredit, but highly to his Honour and Commendation.* And (3.) *That these very Prebends, which your Author sets so light by, are in themselves desirable, tho' a Man were to have paid the utmost Farthing that the Law allows and requires for Fees.*

LL. Well, suppose his Lordship's dealing thus with *Ned Gwynn* to be excusable, yet what say you to *Ferry Griffiths*, his Measure was exceeding hard; for the Bp obliged him to take a Collation to a Prebend, for which the Deponents (receiving and paying all that belongs to it) has hitherto been Four Pence out of Pocket every Year, besides Procurations, and there is no manner of expectation that ever it will be otherwise, there being no Corps belonging to it; and yet the Deponent was obliged to pay 6l. 1s. and at the same time to quit a Beneficial Prebend, otherwise the Bp would nat have given this Deponent a Vicaridge, which his Lordship then bestowed on him, and for which he made the Deponent pay 6l. more. Here is the very *Summum jus*, and according to the other part of the Maxim, the greatest Oppression. Clear this if you can.

M. I'll do it presently; only answer me these Two Questions; Dost thou look upon *Lucy* the Promoter to be so far from being the Bp's Enemy, that thou dost believe him to have been one of his Best Friends, and that *Griffiths* never heard him use any Scurrilous Language towards the Bp?

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Ll. I was preparing my self to unfold some mighty Difficulty, but instead of that shall answer the Queries with Two other Questions. Why dost thou ask me what every Body knows, who knew *Lucy* and his Conversation ever since the Revolution? Or what is this to the Purpose?

M. Only thus much, That *Griffiths* hath Deposed to the 38 Interrogatory in the Affirmative as to the first, and in the Negative as to the latter: Whereas it appears not only from *Williams's* Testimony, that these Two together, represented the Bp to the Deponent, as a Monster and a Villain; but what is more, *Mr. Tho. Phillips* further Deposes, *That he heard (some Years before he gave this Deposition) Lucy, Sandys, and this very Griffiths Talk and Discourse very unseemingly of his Lordship, declaring him guilty of Symony, Extortion, and other Crimes; and I make no doubt but that the very same thing might be proved as easily by a Hundred Witnesses, as that Lucy and Griffiths have been Drunk together a Hundred times.*

Ll. That's the Reason then why *Mr. Griffiths* could not remember.

M. Right. But how then will you reconcile the Title of Friend with the Character of a Promoter, for whatever Severity may be allowable in the way of private Correction: Yet when a Man turns a publick and spiteful Informer, these two Parts are utterly Contradictory and Inconsistent.

Ll. But what's all this, as I said before, to the purpose?

M. No more than thus: That this Witness of yours, should there be occasion, would be ready to swear in *behalf of the Devil* that he is not the *Accuser of the Brethren*, and may, should he be call'd upon, give a *Testimonial of Good-nature* to Abaddon that he was not the *Destroyer*.

Ll. Don't say so.

M. Has he not so far as Man can do it, given himself up to the Interest of Satan by thus swearing a Falshood, as Notorious in our Climate as that the Sun shines accidentally. *Mr. Jer. Griffiths* has shewn himself one of the *Ep's* best Friends by Blasting his own Reputation, and by taking off the Edge of his own malicious Evidence.

Ll. I can't but wonder that he should Swear at this rate. Nor can any body that has convers'd either with him or *Lucy* this ten Years believe it. But what he deposes as to the Prebend or Vicaridge may be true.

M. Nay examine that, and they are almost both alike: so far he is in the right, that the Bp gave him a Vicaridge, and that he took 6 *l.* and said he would stand to it; and also that he gave him a Prebend, and receiv'd 6 *l.* 1 *s.* for the Instruments. But that there

was

was any thing of Force upon *Griffiths* to Resign (what he aalls) the Beneficial Prebend, and that the other is *not worth a Groat*, is a downright Falshood, and taken altogether, is one of the Blackest pieces of Treachery and Villainy that will be Exposed in all this whole Controversy. PAR. II.

Ll. Lay open the Case, and then you do something.

M. Then thus it was. *Griffiths* being possess'd of the Rectory of *Dyserth*, Prebend of *Boughbrood*, and the School of *Brecon*, given him by the Bp, upon the Vacancy of the Vicaridge and Prebend of *Llanfawr* (thro' the Voluntary Resignation of Mr. *Tho. Phillips*, who held them Both together) *Griffiths* makes strong Application to the Bp to Collate him to the aforesaid Vicaridge. His Lordship had a Design to dispose of it another way, but being overcome by the Importunity of *Griffiths* who had a sort of *Appetitus caninus*, and abundance of little Fawning Dog Trick; besides he prevail'd for it, in case he would comply to those Conditions which were requisite upon such a Condescension in the Bp.

Ll. Ay. Now you come to the Point very prettily, and are like to make a very fine Sett of it after all this Beating. The Conditions of that Obligation were such, I suppose, as I have mentioned.

M. Don't mistake your self, they were both Honourable and just, for the Vicaridge and the Prebend having gone together before, and it no ways appearing that the Vicaridge was endowed with all the great Tythes (and I think 'tis impossible it should) the Bp therefore told *Griffiths*, that to prevent all Disputes which might happen betwixt the Prebendary and the Vicar, in case those two Titles were separated and given to Two several Persons. He was resolv'd they should go together so long as they were at his Disposol; for then the Incumbent would have all. Either *quatenus* Vicar, or *quatenus* Prebendary, without any Ground or Colour for Dispute, unless Right and Left should quarrel about receiving the Profits, which were Considerable.

Ll. O now you are tacking about.

M. Prithee be not so Impertinently Metaphorical. I am going on in the right way of Truth and Justice. The Case being thus Stated to *Griffiths*, and he left to his Choice, whether he would take the Vicaridge upon these Terms or no, he well knowing the Value of the thing in Gross, accepted of the Bp's Offer, whereby the other Prebend he stood possess'd of, became void of Course. No Presbyter that ever I heard of being allowed to have two Stalls in the same Cathedral or Collegiate Church. And now pray where is the mighty Force upon *Griffiths*, or how was his Beneficial Pre-

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bend wrested from him: Since it was manifestly vacated by his own voluntary Cession. Wou'd he have had the Bp to have given him the Vicaridge of *Llanfawr*, and to have sunk the Prebend, that it never more should have been heard of? Or was it fitting that he who was so cramm'd with Preferment, should run away with all the Profits of *Llanfawr*, and leave the Bp a bare empty Title, a *Feather* I might call it, to dispose of; but that according to *Griffiths* Deposition, would by its self be a Burden? This is the plain Truth of the Matter, and I think it apparent that the Bp ought to be commended for his Wise Conduct; tho' your Dr. does all he can to asperse him for it, by wresting the Fallacious Evidence of this Ungrateful Wretch, who from hence forward must be reckoned the Scandal of his Order.

Ll. Nay lash him till you are tir'd, I'll never interpose in the behalf of such Monstrous Ingratitude. In the Name of God how came it into the Heart of this Man, to rise up against the Bp?

M. Just in the same manner that it did into the Heart of his Brother *Judas*; for as the One, after he had receiv'd the Sop, went out and Betray'd his Master; so this had no sooner got his Belly full of Preferments, but he immediately began to attempt the Ruin of his Benefactor.

Ll. The paying 6 *l.* 1 *s.* for the Prebend, that he look'd upon not to be worth a Groat, was, I suppose, the Thing that provok'd him.

M. But how can any Man conceive, that the real value of the Prebend should be so low, when the Tythes of the Place are so Considerable as 70 *l.* per *Ann.* at least. Were all the great Tythes belonging to the Vicaridge, it would of Course lose that Name, and become a Rectory, whereas it still remains upon Record under the Title of a Vicaridge, and therefore *de Jure* there must be a handsome Income due to the Rector or Prebendary, tho' Time and Negligence has made it Difficult to distinguish them: But if *Griffiths* be weary of the Prebend (as he very well may, in case he be so much out of Pocket thereby every Year) I know One that is ready to accept of a Resignation of the Dignity, and will find a Corps to it, to his Sorrow.

Ll. 'Tis pity but he should resign both his Preferment and his Ears, I'm quite Sick of him.

M. Settle your Stomach with another Glas.

Ll. No, the best way is to forget him. I wish I had finish'd this Head, but I cannot do it with Justice to my Author, till I have produced One or Two more Instances of strange Extortions, as he calls them, and if true, they certainly are so.

M. Let

M. Let that be examin'd; Which is the First?

Ll. David Lewis Deposeth, That about the Year 90. the Bp. promised to Collate him to the Vicaridge of Trolear Bittus, being then void, and ordered him to provide 6 l. to discharge the Fees of it; which when the Deponent had done, he went to the Bp, who shew'd him a Petition for one who was Curate in the Vicaridge, and the Bp would have the Deponent quit him of his Promise, but the Deponent insisting thereon, the Bp told him, that he should continue the Curate there Twelve Months, and that he must take a Dispensation for Non Residence, and provide and pay him 40 s. for it; and the Bp then gave Mr. Powell the Instruments of Collation to keep till the 40 s. were paid, which the Deponent receiv'd from him shortly after, upon paying the 40 s. for the Bp's Use.

P. 26.

M. If your Author has any Good Men and True to prodnce in Evidence, why does he not uncase them, and give us (as those do who sell Rabbits) a Bad one and a Good one? Why these Two together?

Ll. Upon what account do you Pair Lewis with Griffith?

M. First because he positively Swore that he paid 13 s. 4 d. for Promot. 21. Procurations at the Triennial Visitation; whereas he paid not one Far- Witn. ad Ad-
viso 24. thing to the Bp, nor any body for him.

Ll. What do you think him such a Fool, that he knew not when, or how he parted with his Money?

M. So it seems.

Ll. How came he then to Dream of such a Thing?

M. Why thus; perhaps R. Lucy did sharp him out of the Sum aforesaid, at a Triennial Visitation, under the Pretence of Fees for Exhibitions; now Lewis so much in haste, upon that Occasion, and perhaps without knowing into whose Pocket it was to go; but hearing afterwards, That to go to the Swearing Office, and to Depose against the Bp was the way to Preferment; thereupon, either thro' Mistake, or Malice, or Covetousness, which is all one as to the Perjury, he tenders himself as a Witness, and Swore he knew not what, at least what was False.

Ll. But he's positive, as to the 40 s. for the Dispensation.

M. And positively in the Wrong; for if you will Collect with your self what the stated Fees are for a Collation, &c. viz. 8 l. 1 s. and what Lewis paid, viz. 6 l. and 40 s. afterwards, What Room or Reason is there to believe that the Bp should Exact 40 s. under the pretence of giving him a Dispensation, when that very Sum was due with it, for other Seal'd-Instruments, viz. Sequestration and Relaxation? What Truth there is in that part of the Story, the Bp's compelling him to take a Dispensation, I know not; neither is it Material, let it be which way it will, seeing that according to this



very Account no more was paid for it than 13 s. 4 d. So that the substance of this Oath, so far as he would have it Affect the Bp, is either a gross Mistake, or else a Damnable Willful Piece of Perjurication and Perjury. Nay, to make it the more plain, read over the latter part of the Deposition, where he Swears, That the Instruments were left with *Powell* till the 40 s. were paid; and mark what *Powel* has sworn before, That the Bp order'd him to receive only 13 s. 4 d. *pro aliis sigillatim Instrumentis*; and can it otherwise follow from hence (considering how willing *Powell* was to Swear against the Bp) that there is nothing in this Story of 40 s. for Dispensation, but either Falshood or Malice. Had it been as this Fellow affirms, *Powell* might have been a very Material Witness, and have Clench'd this Evidence of *Lewis*; but that, it seems, he durst not, could not do, and therefore left *Lewis* to play the Fool and Knave by himself.

Ll. You were talking, a good while a-goe, for a Witness of a good Reputation, and now I'll gratify you, tho' at the Expence of the Bp's Credit. For Mr. *William Lloyd*, of *Lacharn*, Swears; That he being presented to two Livings, went to the Bp for Institution, who said they were lapsed to him, but offer'd to Collate him to one of them; at last, by Intercession of a Friend, the Bp promised to bestow them both on the Deponent: And the Deponent mov'd that they might both be Comprehended in one Instrument, as they had once been, lest the first might be void upon the Collation to the other; but the Bp would not comply therewith, saying; he would find a way, and give the Deponent an Instrument of Union to secure him in both. So after the Deponent had receiv'd two Collations, the Bp gave him an Instrument of Union to hold them both with safety; and the Deponent not having Money enough with him to pay the Fees, took down the Particulars from the Bp's own Mouth, viz. For two Collations 11 l. 12 s. two Subscriptions 10 s. two Sequestrations and Relaxations 53 s. 4 d. License to Preach 13 s. 4 d. Instrument of Union 13 s. 4 d. in all 16 l. 2 s. which the Deponent soon after paid.

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M. What do you infer from all this?

Ll. First it seems as if the Bp had wrested the Right of Presentation from the true Patron. 2dly, That by this Stratagem, and by giving double Instruments when single would have serv'd, (and had serv'd formerly) he screw'd out of *Lloyd* as much more as he ought to have receiv'd of him.

M. As to your first Inference, or Exception, the Contrary not only seems to be true, but is apparently manifest; for, when a Patron (let his Right be what it will) neglects within 6 Months to present a Clerk, then it falls into the Bp's hands to Collate to that Living so lapsed to him, and that *Lacharn* and *Llanfadwalnan* were lapsed to the Bp, is evident from hence, in that *Lloyd* does not pretend to have receiv'd his Presentation till *Novemb. 1690*, whereas *Michael Owens*,
Lloyd's

Lloyd's immediate Predecessor, stood Depriv'd by Act of Parliament Feb. 2d, 1689, for not taking the Oaths to K. W. and Q. M. According to this Account, the 6 Months were expir'd; not to mention the Weeks that interven'd betwixt *Lloyd's* Accepting of the Presentation, and Tending it to the Bp.

PAR. II
Primo Gul.
& M. cap. 8.

Ll. But suppose these two Livings were thus lapsed, yet having been formerly United, Why did his Lordship Collate to them separately?

M. There's a difference, my Friend, betwixt Jumbling Things together, and Uniting them legally. That *Lloyd's* Predecessors, for two or three Successions, had had both, and perhaps by the same Instrument, I need not deny; 'tis enough to my purpose, and sufficient to Vindicate the Bp, That that Union was not according to Law, and therefore did not oblige his Lordship.

Ll. How so?

M. As thus; by the Act of *Ch. 2d. 27. cap. 2.* for the Uniting of Churches, 'tis thereby expressly provided, *That no Union of Parishes, &c. shall be Effectual in the Law until it be Register'd in the Register Book of the Bishop of the Diocese.* This pretended Union was not Register'd; nor is it to be found in the Register Books; and therefore the Bp was altogether at liberty to Confer either one or both on *Lloyd*, or on whom he pleas'd; but according to his Lordship's usual ill Fortune, he gives them to this Ungrateful Man, who instead of demeaning himself worthy of such a Favour, first Kisses the Bible, and then Flies at the Throat of his Benefactor.

Ll. But why, since the Bp thought fit to Unite the two Livings, did he not join them in one Instrument, but thus run *Lloyd* up to Charges?

M. Since he desir'd to have both the Places, Why should not he be distinctly Collated to each? The Act which allows the Union, in no wise requiring the crowding both Titles in one Instrument, any more than it does in the Case of Pluralities: The Bp herein only follow'd the lawful and approv'd Practice, and can be blam'd by wise Men for nothing but the being too Careful of the Right of *One* that did not deserve the least Kindness of him. Thy Author writes as if he were Secretary to the *Unfriendly Society* of the *Ungrateful*, and certainly does by these Memoirs Expose them, whilst he in vain endeavours to Defame the Bp.

Ll. Certainly in the more Voluminous Edition, which the Author seems to Advertise us of in the Preface, these Things will be set in another Light; for either more can be said in this Cause than my Author offers, or else he had better have said nothing.

M. That pretended Mighty Work, seems to me to be no more than a Political Scare-Crow, or a meer Sham, to render this Puny Weak

PAR. II. Weak Performance of the Dr's the more Pleasant ; for in what Term or Compass of Time may we expect it? Four or Five Years has this *Summary View* been Extant, as appears by the Title Page; and above Two Years and half a-goe, has it been severely Animadverted upon by the Author of the *Review*, who not only Invites, but Provokes all and every of the Bp's Adversaries to answer him, if they Dare; and yet so far as I can judge by the Term Catalogues, or hear from others, there is what we call a Deep, not to say a Scandalous Silence.

Ll. All in good Time, as you said in the beginning of this Dispute: But, prithee, who is that Author of the *Review*, or what has he done?

M. *Albus an ater homo sit nescio*, but this I know, that he has thrown so much Dirt in some Mens faces, that in Common Civility, and in Good Manners, they ought to wash them, before they appear in Publick with any thing of a Boon-Grace.

Ll. From thence, I warrant, thou hast most of thy Materials in Defence of the Bp.

M. When we have done, I'll lend you the Book, and then you may judge your self how far I am a Repeater. In some few Cases, he has given me a clearer Insight into the Merits of the Cause than I had before; but what I offer to you, is mostly the Product of my own Observation, and what I have been inform'd of from Persons of Worth and Credit, and what can be justified from the Depositions made in the Course of the Proceedings for, and against the Bp.

Ll. Notwithstanding all the Helps you have, yet I believe I shall presently put you to your Trumps, if not to a down right Nonplus; for in Taking and Demanding Excessive Fees for Procurations, the Bp more than seems to be altogether inexcusable.

M. Be not positive in any thing, but what you can prove. Come, produce your Witnesses.

Ll. First then, Mr. William Jones the Bp's Servant in the Year 1691, swears, That at the Bp's Triennial Visitation, in that very Year he Collected a great many Procurations by a Book which he transcribed from one which the Bp delivered to the Deponent for that purpose, and that there were several Alterations of Figures or Sums in that Book, which the Bp so delivered to the Deponent; and that upon his demanding the Procurations according to the transcribed Book. The Clergy complain'd they were higher and greater than they were before. And really if Jones had not sworn this, the Reader would not, I presume, have suspected that the Figures were altered to make them less. Nay—

M. Nay,

M. Nay, hold a little before you go any further, and give me **PAR. II.** leave to shew you the abominable Falshood of that Inference where- with your Author closes up this first Paragraph. *Jones* swore that he Transcrib'd from a Book, wherein were *several Alterations*; and that [*The Clergy*] thereupon Complained, That the Procurations receiv'd according to that transcribed Book, were greater than before, and says your Dr. really, if *Jones* had not sworn this Remonstrance of the Clergy, the Reader, he presumes would not have suspected that the Figures were Alter'd to make them less.

Ll. Right.

M. But I say it is detestably wrong, for had your Author faithfully transcribed *Jones* his Testimony, he might and ought to have told us, that the Deponent to the 24th Artic. of the Bp's Allegations, Nov. 1697, swore that he could not tell whether the Alterations were *Greater or Lesser*; which Explanation of himself under Oath, utterly precludes the way to the drawing off that crooked Conclusion, which put a slur upon the Understanding of the Reader. Where is his Modesty? Where his Honesty? If you suppose him to have common Sense. I must call him Fool or Knave in spite of my Teeth.

Ll. Remember your Promise.

M. Then I'm sure other People will do it, and so let him pass.

Ll. But what Reply do you make to the Clamours of the Clergy? They prove the Allegation, tho' *Jones* had been silent.

M. Who was it that heard them? Were not you and I Both at *Haverfordwest* that Visitation? Did we so much as hear a Complaint whisper'd? Who is the Man? Or what is his Name, that was Oppressed, either in our Arch-deaconry or elsewhere? Sure if the Clergy in General had been thus Imposed upon, we should not have escaped? Or if we were more favourably dealt with in this Arch-deaconry than others, yet the Noise of their Hard Measure wou'd have reach'd us?

Ll. *Jones* heard it, and that's enough.

M. It is not: First, Because hear say is no Evidence. 2dly, Were *Jones*'s meer Report Passant in Law, yet I have a very considerable and mighty Objection against him; in that he, the said *Jones*, in another Case, manifestly forswore himself, by Deposing at a Tryal in *Caermarthen* Assizes, That he saw Mr. *John Medley* Execute a Bond (for the payment of 100 l. to the Bp) in June or July, 1691; whereas it appears by the Bond it self that it was not Executed till the 5th of August following, which Falshood he asserted once more upon Oath, con-

trary

Answer to
the Promo-
ter's 3d Ar-
ticle.

PAR. II. trary to plain Fact. 3dly, Had the Bp thus squeez'd his Clergy, and had they complain'd as *Jones* pretends; Why could not he have named some of those Persons thus Abused, that they might have been personally Cited to prove the Exactions made upon them? Do any of them come in to Back his Evidence?

Ll. No.

M. Then this Fellow must be look'd upon as one of that *Forlorn Hope* of Villains; who having not the Fear of God before their Eyes, but being lead by the Instigation of the Devil, and his Servants *Robin Lucy* and *Meyrick*, thus Perjur'd himself to Prejudice the Bp.

Ll. But why were any Alterations made in the Book of Procurations, if the Bp. designed nothing but what was fair?

M. Why then herein lies the mighty Mystery; the Book so alter'd was that whereby the Bp Three Years before gathered the Procurations at his Primary Visitation, when full Procurations were to be paid by all his Clergy; but in 91, at his Triennial Visitation, all of them (some few excepted who had come into new Preferments) being to pay but half Procurations, there was need to alter the Sums to be requir'd; which the Bp accordingly did, with that Care and Justice, that I defy you to produce any one Man who paid above his usual *Quota*, those aforementioned only excepted.

Ll. You have rubb'd pretty well thro' this Difficulty, but you are fallen into another more Intricate and Dangerous; for this my Author calls *an Improving of the former Oppression*, by making many Clergymen pay double.

M. Let the Bp and other People Improve as much as they will, thy Author is still the same *Dull* and *Spiteful*, *Hot* and *Heavy*.

Ll. So you'll find him now to your Cost.

M. Bring on your Witnesses. Canvas the Matter fairly, and do your worst.

Ll. So I will. *John Barnet* swears.

M. *Vous avez.* Mr. Barnet, are You there again. I thought you had had your Bellyful of Swearing the last time.

Ll. If he were here, he'd reply to you. But without fooling or jesting, Wipe off if you can the Guilt which is fasten'd upon the Bp by this Deposition of his.

M. His Credit is so far lost already, that if the thing be not Manifest of it self, no one is oblig'd to believe a Tittle of it upon the account of his Veracity.

Ll. Have patience to hear what it is, and then make Exceptions if you can. He swears, That Mr. Jones at the Visitation 1691, demanding of him 11 s. for the Procuration of his Vicaridge of the Hay, and

and the Deponent being Inform'd that no more than 5 s. 6 d. were due for that Vicarage, he went himself to the Bp, and Reason'd the Thing with him; upon which the Bp told him, that 5 s. 6 d. were his single Procurations; but he must pay 11 s. for whole Procurations, because, tho' this was his Triennial Visitation, in respect of other Clergy Men, yet it was his primary Visitation in respect of the Deponent, as Vicar of the Hay, to which the Deponent Answer'd, That he had paid Procurations at the primary Visitation for his Living at Clirrow, and therefore hoped to be Excus'd from paying the whole now. But the Bp said he would not Excuse him.

M. And what then? He paid none.

Ll. Then Mr. Griffiths likewise Deposeth. That at the same Visitation whole Procurations were demanded of him, as newly made Vicar and Prebendary of Llanfanhied; whereupon, he went and spoke to the Bp about it, who told him, that they who were admitted since his primary Visitation, ought to pay, and did pay whole Procurations; and thereupon the Deponent paid them.

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M. I can't understand what thy Author means by all this, unless he have a design to bring Barnet and Griffiths into Credit again, by making them for once swear Truth. Sin is the Transgression of the Law, against what Law is this Practice of the Bp's?

Ll. Dost thou doat upon the Bp even to blindness? Is it not expressly against the Canon?

M. I believe not?

Ll. Then my Memory and Judgment both fail me.

M. To prevent Mistakes on both sides, I'll fetch the Book of Canons, and thereby this Cause shall be fairly Try'd and Determin'd.--- Here it is; that which, I suppose, you insist upon in this Case, Runs thus: Forasmuch as a Chief and Principal Cause of Visitation is, that the Bp, &c. may get some good Knowledge of the State, Sufficiency and Ability of the Clergy, and other Persons whom they are to Visit. We think it Convenient, That every Parson, Vicar, Curate, School-Master, and other Person Licens'd whosoever, do at the Bp's first Visitation, or at the next Visitation after his Admission, shew and exhibit unto him his Letters of Orders, Institution and Induction, and all other his Dispensations, Licenses, or Faculties whatsoever, to be by the said Bishop either allow'd, or (if there be just Cause) disallow'd and rejected, and being by him approv'd, to be, as the Custom is, Sign'd by the Register. And that the whole Fees accusom'd to be paid in the Visitations, in respect of the Premises, be paid only once in the whole Time of every Bp, and afterwards but half of the said accusom'd Fees in every other Visitation, during the said Bp's continuance.

Canon 137.

Ll. 'Tis directly against you.

M. Read it over distinctly, and you will judge otherwise.

Ll. To humour you, I'll try; Forasmuch, &c.

M. Well, What think'st thou now?

Ll. The same I did before; that the Bp. violated this Sacred Rule of the Church, by Exacting whole Procurations twice of the same Person.

M. Had it been for the same thing, the very same Benefice, you would say something; but as this Demand was made upon the account of New Preferment, the Case alters mightily, and I dare be positive in it, that the Practice is from this very Constitution of our Church justifiable.

L

Ll. Pray

PAR. II.

Ll. Pray explain your self, before you go any farther, for I do not well apprehend your meaning.

M. Then take it thus ; Had *Barnet* sworn, that at this Visitation he had paid full Procurations, both for the Living of *Clirow* and the Vicarage of the *Hay*, he had sworn something to the purpose against the Bp, but as the Bp receiv'd full only for the Vicarage of the *Hay*, into which he was Instituted since the Bp's primary Visitation, that's no more than what the Canon allows.

Ll. That I Deny.

M. Will you yield that every Vicar at the next Visitation after his Admission, should shew his Institutions and Induction, &c. and that the whole Fees accusom'd to be paid in the Visitation, in respect of the Premisses be paid by this new Incumbent.

Ll. No, that I won't, because it follows that the whole shall be paid only once in the whole time of every Bp, and afterwards but half of the said accusom'd Fees in every other Visitation, during the said Bp's Continuance.

M. Then I must tell you, that you deny the very words of the Canon ; for is it not there said, *That the whole accustomed Fees to be paid in the Visitations in the respect of the Premisses, be paid only once, &c. during the said Bp's Continuance.* Now what are these Premisses for which the whole is once to be paid ? Surely things that are in *Being*, that are Capable of being shew'd and actually exhibited, and how could *Barnet's* Institution, Induction, &c. be exhibited in the primary Visitation, when he had them not till a year after. From whence I infer, that either some Instruments shall be exhibited and the whole not once paid for them in every Bp's time, which the Canon does contradict, by saying, *That only once the whole shall be paid, &c.* or else (which is the Position I maintain) That that Bp acts according to the Letter and plain Meaning of the Law in this Case provided, who demands the whole upon the Exhibition of New Instruments.

Ll. *Ab Proteu ! quo te teneam nodo ?*

M. What need is there of Haltering an Innocent Man ? Do what thou wilt with me, if I offer Violence to the Canon, but be not Angry if I Expose the Weakness and Fallacy of some Peoples Comment upon the Venerable Text ; Read the Canon once more over, and see if this Exposition be not just. Here I'll lend thee my Spectacles.

Ll. Your Tongue has inform'd me, I need not your Eyes ; but for all this, the Case is not clear. There may be Reason good, why one newly Prefer'd ought to pay his Acknowledgement to the Bp, as others have done before him, but *Barnet* and *Griffiths* had been at the primary Visitation, had paid whole Fees, and why should the same Persons pay the whole twice ?

M. Thou art so vext. at this Disappointment, that thou dost forget what I said as to that point. As Vicar of *Clirow*, *Barnet* had paid, but not as Vicar of the *Hay*, or in respect of those Instruments never before exhibited. At this Visitation he appears in his Ecclesiastical Capacity as another Person, produces a Title, Institution, and Induction, never before expos'd in this judicial way, and unless he could have shewn

a Dispensation exempting him from the Authority of the Canon, 'twas his Duty both in Justice and Obedience to tender what he did, and had he don't without *Reasoning*, as he calls it, or Swearing as you say he did, all honest Men would have thought the better of him. But he and *Griffiths* are *Robin's Hacks*, ready Sadled and Bridled upon all Occasions, for *Mr. Promoter's* Service. A Good Journey to them, I say, if they are not resolv'd to Ride to the Devil.

Ll. They are not the only Persons that Depos'd to this Allegation, for *Henry Rogers*, one of his Lordship's Witnesses, *Swears to the same Effect*, as to the *Procurations* for *Lanbadernvaur*.

M. I know he does; and had he not been a Man of more Honesty and Worth than the two Brethren in Iniquity aforementioned, he might have sworn any thing, there wanted not *Temptation*; for this very *Rogers* gives it upon Oath, That at the Metropolitcal Visitation at *Cardigan* in 1694, *Lucy* endeavour'd to Subborn him to be a Witness against the Bp, by telling him, that his Living of *Lanbadernvaur* was small, and that as he needed not to esteem himself indebted to the Bp for so small a matter, so the Arch-bishop would take Notice of such as would inform against his Lordship.

Ll. Is *Rogers* a Man of that Credit that his Testimony may be relied on?

M. If your Author did not think so, why does he produce him?

Ll. What knows he of the *Welsh* Clergy, more than he can learn from the Depositions? Do you know him Personallly?

M. Yes, and have been Acquainted with him for many Years; Ten years a-go (when he was a very Young Man) he was Curate at *Caermarthen*, from thence, he was prefer'd into *Cardiganshire*, where he lives in good Repute with the best Gentry of that Country, and has by the Government, been thought a fit Person to Act along with them, as Commissioner of the Taxes. As you may see in the List for that County.

Ll. 'Tis strange to me, that the Archbishop did not utterly Discard and Detest *Lucy* from the very time that he saw this Deposition. Had any Man so Abus'd my Name, as he has done his Grace's, I would have Prosecuted him with more Severity than I would him that should Rob me on the High-Way, or break into my House. Did you never hear how his Grace Resented it?

M. No: If you have a mind to know: or as your Author words it, *To satisfy your Curiosity*, you may go and ask him.

Ll. Is that the Kindness you have for your Old Acquaintance? But since you put me in mind of Travelling, I'll think of jogging Home, for 'tis almost Night, and we have not half done.

M. Have we done with this Second General Head. There seems to be something still behind of it.

Ll. Only a Remark of the Author's which, as it happens, is not worth the Reading.

M. Most of what he writes is of that sort; prithee let's have it to the Rest.

Ll. Read it your self then, whilst I gather up my Whip and Gloves.

M. The Bp did, as it were, confess his being Guilty of these manifold Exortions [this Fellow must Lye, whether other People do or no] for

PAR. II.

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To the Bp's
11th Article
Octob. 12.
1698,

P. 27.

at

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at the beginning of the Cause he made an Offer in Writing to make full Restitution to such Persons from whom he had receiv'd more Fees for Collations, Institutions, Procurations, and other Things of that Nature, than were really due; but during the Dependence of the Cause, for three Years and more, the Bp has not prov'd that he actually Restor'd one Farthing. Do you hear, Friend? How much has the Bp upon the whole Hearing of the Cause wrested from any Man?

Ll. Nothing that I can understand, unless Lucy, and other Secretaries lead him into a *Mistake* by their Practice and Information.

M. And if the Bp upon better Information (could any body give it him) did at the beginning of this Suit promise to make Satisfaction to any that he might have Exacted upon, through *Mistake*, What Proposal could be more Honest or Christianlike? Was not this, as a man should think, enough to mollify the Hearts of the Accusers, and to have put a Stop to the Prosecution upon this Head; but they were Resolv'd that it should be a Publick Quarrel, and what have they got by it?

Ll. Nothing; for you see he has not remitted One Farthing as yet.

M. And if ever he do, I think he's to blame for it.

Ll. If I could but find my Gloves, I do not care a Halfpenny whether he doth or not.

M. Thou seemst to be out of Humour; prithee don't go off in a Pet. I hope you don't take Exceptions at any thing I have said.

Ll. I shall be Angry with you in good Earnest, if you suspect me to be such a Puppy.---- Well now I am ready as warm an Antagonist as thou art, in the way of Dispute; yet by way of Farewell, Dear Friend, Thanks, and good Night to thee:

M. O stay and Drink; give me thy Hand, Here's to thee, good Brother. Well, wilt thou give me leave to make one Proposal? Stay all Night, that we may go thro' this Work, and I'll send my Boy to acquaint thy Wife that I keep thee.

Ll. No.

M. Thou shalt stay, we won't loose the Pleasure of another Days Conversation, by tugging Pro and Con in this ugly Cause. Be good Natur'd for once; I hope we shall go through it before Bed-time, and have half an Hour to spare for a little easy Talk. Any time the next Week thou shalt Command me for a Night and a Day.

Ll. Upon that valuable Consideration, I will stay. But prithee do not fail of dispatching a Messenger.

M. I'll send him away, and return to you in a Minute.

The End of the Second Part.

THE

P A R T III.

Manifold Simony.

M. **W**ell, he's gone, and I'm heartily glad that I have thee fast.

L. Have a care least you should only have caught a Tartar. I read in thy very Eyes, that thou art not a little transported with thy Success under the two foregoing Heads. But the third Head is a meer Gorgon, the very sight of it will so damp thy Courage, and chill thy Blood, that instead of being able to defend the Bp. thou wilt be struck quite speechless.

M. Mainfold Simony as it is *Numerosum Malum*, you might better compare it to that other Monster *Hydra*, the Emblem of Popular malice, which is perpetually budding, tho' mow'd down never so close or often.

L. And you I warrant are in your own fancy that mighty *Hercules*, born to slay this dreadful Dragon.

M. Far be it from me to pretend to high Titles, or great matters, but I'll either answer all you can produce under this charge, or give up the Cause.

L. No thanks to you for that. So long as you had room, you laid about you very Heroically, but now we shall press upon you with such Force, and so closely, that you must either fall, or quit the Field.

M. You have Flourish'd enough : Begin the Battle.

L. *Simony then and Mainfold Simony*, I charge the Bp. with some of which detestable Acts relate to the Preferment, to which the Bp. collated his Nephew Mr. John Medley. Another relates to the Rectory of Burrough-Green in Cambridgeshire, which was held by the Bp. in Commendam. Before I come to specify the former it may not be amiss to premise out of the Proofs, that Mr. Medley was in the year 1687. when his Uncle was made Bp. of St. David's, possessed of a small Curacy in Yorkshire of about 30*l.* per Annum, That in 1688 he was collated by the Bp. to two Rectories, and two Prebends, to which the Bp. added in the year 1691, the Arch-deaconry of St. David's, and the Treasureship of the Collegiate Church in Brecon. It wou'd be Imagin'd

Part 3. Imagined that this Accumulation of Preferments, should make the *Yorkshire* Curate appear Gay and Chearful, and put Money in his Pocket: But on the contrary, the Proofs assure us, that tho' he continu'd a Batchelour, and kept neither Man nor Horse, and tho' for near two years, he was Lodg'd and Dieted at 10 *l. per Annum*, yet he was always complaining of want of Money.

M. If *Fuller* and thy Author were to lie for a Wager, I would Lay on the Dr's side.

L. Why so?

M. Because the young Man does not Lye half so fast. Whatever he attempted in this way, he did it with deliberation, and gave his forgeries something of a Colour. But the Narrative Maker, without either Art or Modesty, runs on from one falsehood to another, as if *ab Origine*, he had been one of those, who as soon as they are born, go abroad and speak Lyes: I'll warrant him a good one from his Cradle.

L. Is it thus you keep your promise.

M. Equity in this Case will allow me a Liberty, the provocation being *Ultra patientiam humanam*, Contrary to Truth, Charity, History, and matter of Fact in several Instances.

L. As how?

M. Answer me but one Question, and then I'll tell you, what do you understand by *Medley's* being possessed of a small Curacy in *Yorkshire*?

L. What can be plainer than the words of the Author, if I must give his Sense in other Terms. *Medley* served in some little obscure mean Parish in his own Country, till his Uncle was promoted to the See of *St. David's*.


M. So I apprehend your Author, and question'd not, but he design'd to lead all his Readers into that mistake.

L. And pray, good Sir, how can you correct this Errour, or make out the contrary.

M. Thus as it happen'd, I have been acquainted with Mr. *Medley*, ever since his first coming into the Diocess, upon his first Journey to *St. David's*, I accidently fell into his Company, and in his return to *Aberguilly*, he did me the favour to call here and stay two or three hours, amongst other things, I ask'd him how he lik'd our Country, and then to Satisfy my curiosity, began to inquire about his, and what preferment he had there. I had no ill design, and he was very free and open.

L. And what mighty discoveries had you from his Northern Reverence.

M. Nothing

M. Nothing but Truth and Honesty, which will never be discover'd Part 3.
in your *London Dr.* 

L. Sed quid ad Rhombum. You forget the Curacy all this while.

M. I'm just coming to it, if you'll give me leave. Enquiring into his Circumstances whilst in his native Country, he told me, that he was Curate of *Headon*, a Corporation Town, and a pretty large one.

L. And you believe it was so.

M. Yes I do, because *Camden*, who is a very Authentick Historian and Geographer, gives a more magnificent description and account of this place, than Mr. *Medley's* Modesty would afford me. If I mistake not, he told me withall, that there was another Parish annex'd to it, the name of which I do not now remember.

L. And what was that worth?

M. I was not so nice in my Enquiry, tho' both he said were about 30 l. a year.

L. Then certainly they were two very glorious Places. *Kidwelly* I presume is a topping Town, if compared with this *Yorkshire* Corporation.

M. Look into *Camden*, and you will be of another Opinion, I have the last Edition in my study, and because thou art so slow of belief, will fetch him down to convince thee. Let me see, 'tis p. 739. *Headon* here 'tis. "This if we believe Fame, that always magnifies Truth, was a very considerable place, by reason of Merchants and Shipping: For my part I have Faith to believe it, notwithstanding it is now demolish'd. King *John* granted to *Bladin* Earl of *Albermarle* and *Holderness*, and to his Wife *Hanis* free Burgage here, so that the Burgeßes might hold in free Burgage by the Customs, with *York* and *Nichol*, i. e. *Lincoln*. At present the Town begins to Flourish again, and has some hopes of attaining to its former Grandeur.

L. Then at present, 'tis in a very mean Condition.

M. Consider, Friend, that this was writ 100 years ago, and to Confute your hasty Conjecture, look to the Additional remarks, made in this last Edition, and you will find that those hopeful beginnings in *Camden's* days, are very considerably improv'd, p. 743. "What our Author has told us of, from common Fame, in the year 1656. a great part of this Town was Consum'd with Fire, and about two years ago, several Houses in the Market place suffer'd the same Fate, but now the greatest part is rebuilt, and the Town thereby rendered much more Beautiful. And of late years they are grown in Wealth more than formerly —

L. Enough, enough, But notwithstanding all this, *Medley's* Steward was but small.

Part 3. *M.* I'm demonstrating the Quality of the place, which I have done sufficiently. 'Tis evident that the Corporation has considerable Privileges and that the People are no mean People. They flourish again, and if the Church cannot recover its Rights, if the parochial Profits be small, do not you and your Author (like *Eachard* of ever flinking Memory) look upon a Clergyman with Contempt, because his livelihood is little. *Medley's* Post was considerable, whatever the Profits were, therefore 'tis no such wonder, as your Author would make it, that the *Bp.* should remove this honest good Man, who had for some time born the Heat and Burden of the Day in a very considerable, nay, in a two fold Cure, and give him two small Rectories and Prebends here in *Wales*, all which never did amount to Sixscore pound a Year.

L. Ay, but then consider that to these the *Bp.* added the Arch-Deaconry of *St. David's*, and Treasureship of the Collegiate Church of *Brecon*.

M. I did design to consider it, and to remark to you, that it is once both a spiteful Lye, and an utter impossibility. For, as the Prebend, to which *Medley* was at first collated in the Cathedral of *St. David's*, was vacated by his accepting of the Arch-Deaconry. So by his Installation into the Treasureship of *Brecon*, his Prebend there, was likewise voided, and yet your Author would lead the unwary Reader into a belief that *Medley* held all these at once, or else he does not understand how to write true English: For if his words be Grammatically true, his meaning is abominably false. Nay, there is this additional Lye into the Bargain, that these Premises are taken out of the Proofs, whereas 'tis impossible to prove things that are not, things that never were deposed. Does he refer to any Witnesses in the Margin?

pag. 25
line ult.

L. No.

M. Then let him produce them, or lie under the Scandal of an Impostor.

L. But what say you to that inference of his, viz: *It would be imagined that this Accumulation of Preferments, should make the Yorkshire Curate appear Gay and Chearful.*—

Mim. 3.8.

M. Why so? We are told that a Deacon ought to be Grave, and surely an Arch-Deacon ought to be much more so. Prithee since when was it the Duty of a dignified Clergyman to be Airy and Beauish? Because he did not immediately upon this Promotion, cut off that Hair, which God and Nature had given him for the decent Covering and Ornament of his Head. Because he did not Perriwig and Powder, laugh abundantly, and make himself the Mirth of the Company where ever he came, therefore he was guilty of Simony. As if it were a Sin against

against the Holy Ghost, for a Man to be grave in his Habit, serious Part 3.
and compos'd in his Deportment.

L. Don't wrest things at this rate.

M. Don't you offer things so foolish and ridiculous, contrary both to the Rules of Scripture and Reason.

L. Mind the main thing. *He had no Money in his Pocket, kept neither Man nor Horse, but dieted at ten Pound a Year, and yet was always complaining of want of Money.* Which could not have been, had he enjoy'd the Preferments he was entitul'd to.

M. I dive into no Mans pockets but my own, and therefore can't tell how *Medley* was furnish'd. His former preferment being only an honest Subsistence, 'tis not to be suppos'd that he could abound when he came into *Wales*, and the charge of coming into those four Preferments here with us (let him be a Batchelour, or what he will) would keep him poor for two Years, at least, considering how much of course a Man must pay for First Fruits, Institution, Induction, Procurations, Tenths and Taxes, besides the necessary Expence of his own Maintenance, so that if for two Years he did not keep a Man, he was the wiser Man for having that due consideration to his strait Circumstances, but that he did not keep a Horse is in short a downright Lye, for when I first saw him, he was mounted on a pretty little Pad, of about 13 or 14 Hands high, dark Bay, brown Musle, and all her Paces.

L. You are very particular in your description.

M. I am so ; For in a civil way I was in Love with her, offer'd to buy her more than once, and was not very well pleas'd with Mr. *Medley*, that after he had kept her several Years (in which time I often saw her, and bid for her) he afterwards should sell her to one *Harris* a Mercer in *Herefordshire*, and not take my Money. So that unless Your Dr. shelter him under that pitifull equivocation, that he did not keep a HORSE of the Male kind, but a Mare, he is *ipso facto*, convict of falsehood in this particular, which makes up Number 4. As for his Dieting 2 Years for 10 l. per Annum, that I wont believe unless some very honest Man Swear it, because 'tis scarce to be imagin'd that any Houholder, would be troubled with him and his Mare at that rate, and since your Author has made so many false steps, this must till we have further and full Evidence, be look'd upon as another step of his.

L. But my Author seems to infer, that after he was Arch-Deacon, and after that *Medley* had, or might have wrought thro' the previous Expences of his Preferments, that there he sauntered about more like a Poor Curate, than one of the four Principal Dignitaries of the Diocess.

M. There

Part 3. *M.* There he is out again, for in 91, or 92. I saw him both in this Country and at *Carmarthen* with a hired Servant, and a couple of Horses. Of late indeed he affects riding by himself. I have wonder'd at it, till I ask'd him the Reason.

L. And what was it ?

M. That having Let his Tythes by Lease, and having nothing for a Servant to do when at home with him ; Idleness was too apt to creep upon such sort of Fellows, and therefore he rather chose to be without their Service, than to expose them to the danger and temptation of Sloth, there being better ways withall to lay out the Money that would go that way.

L. If then he be so very frugal, *Why was he always complaining of want of Money ? As Will. Harris Swears it.*

Promoters

19. Wim.

12. 28.]

M. Was *Will. Harris* always with him ?

L. Phy, does any one interpret that word in the strictest sense, with relation to the Actions of Men, if he did it very frequently and commonly, 'tis enough.

M. Thou, I, and Forty more should have heard it, and some of us might at least have been produced, but I'm afraid that *Will. Harris* overstretch'd himself, as some others have done to serve a Party.

L. What Grounds have you for that Suspicion.

M. Because all that know Mr. *Medly*, know him to be a Man of no querelous, carking, repining humour. And I have this further to add by way of contradiction to *Harris*, that if by *always complaining*, he meant the continuance of those complaints from the time of his first acquaintance with *Medly*, to the time that he deposed, 'tis false, for 'tis manifest and might be prov'd by a Hundred Witnesses, that for some Years before *Harris's* Deposition, Mr. *Medley* liv'd plentifully, gave considerably to the Poor, and other Pious Uses, which Liberality of his is utterly inconsistent with that whining Poverty which *Harris*, his pretended Friend thus traduces him for.

L. I wish I have not made a Mistake, for by looking more narrowly to the Words of the Author, I cannot be positive in it, that he swore to this particular.

M. Then it's another piece of thy Author's false Coin. But what does *Harris* depose ?

L. That he often heard Mr. *Medley* wish, he had never come to be preferr'd, but had stay'd at his Curacy in *Yorkshire*.

M. Perhaps he did like that Neighbourhood, or part of the Country, and knowing how to live upon a little, would rather have stuck to that comfortable competency he had amongst his own Friends,
and

and old acquaintance : Or, which is more probable, being a very Part 3.
Honest Consciencious Man, and having Contracted (as shall be shewn hereafter) a considerable Debt, before he could be settled in his Benefices, he was afraid lest he might be cut off before he could discharge those Obligations. All men are not of that audacious temper, as to run hazards; Nay, many wise Men have chosen *Tuta & parvula* for their Motto, and if Mr. *Medley* were one of them, no good Christian will condemn him for such a just concern; but that he uttered these Words upon any sense of Guilt, contracted in the way or manner of his promotion, no more follows from hence, than that he was guilty of Murder or Treason.

L. Mind what *Pyemont* says, and you may have cause to think otherwise. For he Swears that *Medley* was so disturbed and melancholy, that he refused to go to Church, and that when the Depo-
nent pressed him to go, he answer'd, he could not Pray. Does not this look like the effect of an horrible guilt upon his Conscience, when he had such a sense of his Sin, that he durst not ask God forgiveness for it. Eps. 45.
Wim.

M. Have a care Friend, how you make such Conclusions, or fasten such reproaches upon any Man under God's Visitation. are Melancholy and Hypochondriack, persons those who are so even to very high disorder as) *Medley* was at that time) Sinners above all Sinners. Are there not many sedentary, thoughtfull, devout persons, who are nicely strict in their Lives and Conversations, apt to fall into those dissident, almost desponding humours. Ask the most celebrated Divines, who live in great Towns, and have numerous Congregations, whether or no, in the discharge of their Pastoral Office, they do not meet with several good Men and Women, who have been afflicted much after the same manner, upon an ill Grounded Fancy, that they do not serve God as they ought, or that God does not Love them, or accept their Offering; Or consult the Physicians, whether or no the thickness of the Blood, or an ill habit of Body, does not frequently disturb the Imagination, and where it happens to a person of tender Conscience, and strict Life, whether or no, it is not apt to beget accidentally a Religious fear, and those Anxieties of Mind, which may be dissipated and purged away by Physick, whereas no Drugs can remove guilt, or cool a conscience inflam'd with the Terror of the Lord. Had Mr. *Medley* either in his discourse with *Harris*, or in what slipt from him in his disorder when urg'd by *Pyemont*, talkt any thing of Simoniack Bonds or Contracts, the one would willingly enough have divulg'd it, and the other without Question was too Honest to conceal it. But since *Harris* is silent, and *Pyemont* who had the

Part 3. the question put to him (what your Doctor unjustly, and with his wanted Unfaithfulness and Uncharitableness conceals) did declare, that he knew not what was the cause of Mr. *Medley's* Discontent or Melancholy. 'Tis very Unreasonable and Unchristian, for any Man to put *Non causa pro causa* at all Adventures ; But your Author is consistent with himself all along, and is inconsistent with Truth or Charity. I wish he may repent, and that these idle words, in this and other parts of this Libel may not be laid to his Charge, when the great account is to be given in that tremendous day, when the Fruits of our Lips are to be try'd in Judgment, as well as the works of our Hands.

L. I wish he had let these things alone, for they make nothing for his purpose. But now I come to consider more particularly the several Preferments, to which the Bp. collated Mr. *Medley*, and the Simoniackal Pravity that accompany'd those Collations.

M. I suppose then you are bringing on your Witnesses. But before we have any of them, let us first open the meaning of these Terms, upon which a great part of this Controversy does turn. What is your Notion of Simony ?

L. I look upon it to be a Sin of that very malignant Nature, that if it were not restrained by strict Laws and severe Penalties, not only the Beauty and Glory of the Church, but Religion it self would be much endangered. For if the Cure of Souls, and the Profit Annex'd once came to be Marketable Ware, in a few Years, every Diocese would be little better than a Den of Thieves.

M. I am of your Opinion. But wherein do you judge the Sin of Simony to consist.

L. I do not trouble my head with the nice Distinctions and Definitions of the Canonists upon this point, but frame my Idea of it according to the Draught given us of it in the Oath exhibited to prevent it. And from thence conclude, that he who pays Money either by himself or any other, or who is privy to any persons giving or promising of Money, tho' not at the instigation of the party prefer'd; or who enters into any other sort of Contract, or suffers any third Person to make any Contract in consideration of the preferment to be given, is a Simoniackal Person. So that he who gives his Patron ten times more for a Horse than he is worth, (which has been look'd upon as a sly way of cheating the Devil) or that takes off in the way of Matrimony his Worships or his Honours House keeper or Kinswoman with a Living, &c. as part of or the whole Portion, thus tricking the Law, as he himself is trickt by the sly Donor, such Knaves and Fools, not to say Cuckolds of the first Head, however Wise in their own conceits, come under the guilt of Simony, as much as he who pays down or promises a pecuniary consideration. *M.*

M. I agree with you in all this; Answer me only one Question, and then we will fall to the Case before us. Do you mean the same thing by Simony and Simonaical pravity?

L. What else, only with this Restriction, that whereas *Simony in General* may be committed several ways; by *Simonaical Pravity* the Author means, that particular way of management, whereby the Bp. and *Medley* became both of them guilty.

M. I thought fit to ask the Question, to prevent digressions when we are in the midst of the Argument. Remember therefore, that your Author charges the Bp. with downright Simony, and let him not offer to impose on us some matters of fact, under a Simonaical colour (thro' his misrepresentation or misunderstanding) which may be justify'd both by the Laws of God and Man.

L. Trouble not your self or me with those Niceties, I'll prove downright Simony undeniably upon him.

M. To it then as fast as you can.

L. (1.) *Thomas Powel* Deposes, That in the Month of *May*, 1688. P. 29. The Bp. collated *Medley* to the prebend of *Clyddy*, and that he continued Prebendary thereof Three Years, during which time the Deponent by the Bps. Order, as well in Writing as by word of Mouth, receiv'd the Rents 15 *l. per Annum*, as also 15 *l.* part of a Fine for the Renewal of the Lease of the same prebend from Mr. *Meyrick* the Tenant, all and each of which Sums the Deponent did afterwards pay to the Bp.

M. The beginning of that deposition is a Lye, whatever truth there may be in the close of it.

L. How so?

M. Because first of all he tells us, that Mr. *Medley* was collated in *May* 1688 to *Clyddy*, and then he Swears, that the Archdeaconry of *St. David's* being void *Mich. 90.* *Medley* was collated to it about *Promot. 32*
March following, so that unless it be Three Years from *May* 1688, *Witm.*
to *March 90.* Friend *Thomas* is *ipso facto* a Knight of the Post, for upon *Promot. 29*
Medley's accepting of the Arch-Deaconry, *Clyddy* as I said before, was *Witm. ad*
void of course. *Art. 2, 3,*
4.

L. Who catcheth at all advantages now? He only meant that *Medley* receiv'd Three Years profit from *Clyddy*, for entering upon it in *May* 1688, if his Predecessor died before Lady day, as I suppose he did.

M. Your supposal is groundless, his Predecessor dy'd after Lady day, but thou hast an excellent hand at helping a Lame Dog over a Stile.

L. I desire none of your Assistance, allowing me this Supposal. And then it being certain that *Medley* continu'd Prebendary thereof

Part 3. till after *Mich.* day 1690. he receiv'd, or some body for him, Three Years Rent, which was the thing to be proved.

M. And could not this have been attested without calling upon God to witness a Lye along with it?

L. You are too strict and captious.

M. Why then your Witnesses it seems must Swear what they please, and true or false, it must either pass or be forgiven them; or which is harder still, what they Swear against others must be believed, and what they depose against themselves must not? This verry *November* 1704. I am Rector of this place, and thereby am entituled to all the Rights and Tythes of the Parish for the Year 1704. Surplice Fees only excepted. Now should I leave this Rectory, and be preferr'd to another Benefice inconsistent with this, in *January* next, would not he be perjur'd, that should three or four Years hence, swear that I was actually Rector here *Lady-day* 1705. When a Man swears Truth, his Conscience and his Memory do faithfully dictate to him what he shall say; but when a person resolves to falsify in his Evidence, or to swear at all adventures, so that he may prejudice his Neighbour, God quickly gives up such to a Spirit of Errour, and one accidental Lye many times discovers the falsehood of their Hearts, their want of Conscience and Common Honesty. In our common Courts of Judicature, such an Evidence as this would certainly be set aside. If not mounted to the Pillory.

L. I think you aggravate the matter beyond Reason.

M. I am sure I do not, for I admit of a supposal, instead of a positive affirmation, and to give you all the Liberty you can desire, I own the Rents, and that Money given by *Meyrick* for the Renewal, to have been paid afterwards to the Bp.

L. Then notwithstanding your Malevolent Reflection upon Mr. *Meyrick* in the two former parts of this Conference, you now own that *Edmund* can swear the Truth. You have already confess'd it, and can't go back.

M. No, go you forward, and give his Deposition at length, and if I do not find a Lye in it, then I'll retract in what manner you please.

L. Mr. *Meyrick* Deposes, That he being Tenant of the Corps belonging to the Prebend of Clyddy—

Ad Art. 6. *M.* There 'tis at first dash, for *Meyrick* was not Tenant or Lessee, but
 67. Dr. *Jones*, for whom *Meyrick* Acted only in Trust, as *Powel* himself was forc'd to Confess, and as your Author very well knew.

L. The

L. The Devil was in these people sure, to forswear themselves Part 3.
for nothing, when there was no need of it. The manner of receiving
and paying the Money (let it be whose it would) was enough to fa-
sten the guilt upon the Bp.

M. You conclude too hastily. Go on with *Meyrick's* Evidence.

L. So I will, because there is something very particular in it. He
tells you further, *That Mr. Medley Prebendary thereof, did about April*
1690, come to him and discourse with him about the renewal of his Lease,
and came to this Agreement; That the Deponent shou'd pay for it 25 l.
and Medley signed and sealed the Agreement. But before he would deliver
it, an Indorsment was made, that the Contrast should not be good unless the
Bp. should approve thereof.

M. Why didst thou open thy mouth so wide, and exalt thy voice
so much, when you pronounc'd the word Bp?

L. Because 'tis plain from hence, that the sole power in this
Case was lodg'd in the Bp. since *Medley* durst not otherwise than
an Agent, treat about the profits of (what should have been) his
own Preferment.

M. Does the taking the advice of a Friend, or the approbation
and counsel of a person wiser than a Mans self, alter his property
Medley was a Stranger to things of this Nature, certainly was so as
to the Value of the Corps, and tho' to supply his Necessities, he was
willing to treat with *Meyrick*, yet it was prudent in him to Demurr,
to the accomplishing this Bargain (beyond the power of Revocation,
till he had enquired further into the matter. And where is the harm
of consulting his Uncle and Diocesan, whom he knew to be his friend,
as every Body knows *Meyrick* to be a Sharper? I no more think it un-
lawfull to ask the Bps advice, (the grand Trustee of the Diocess)
than 'tis to ask him Blessing.

L. Ay, but as you will hear afterwards, the Bp. had the Money,
only Ten Pounds *Medley* borrow'd of *Meyrick*, which was clear gain,
and more I suppose than the Bp. design'd him.

M. I do not question but all the rest however accruing, or ari-
ing from *Medley's* Preferments, went to his own proper Lawfull
use, or as he pleased; Either Charitably or honestly to dispose of
it.

L. How then could he be so bare of Money, *Meyrick* discouraging
him upon this *How it could be that he who had two Rectories and two*
Prebends for two Years, worth 150 l. per Annum could want such a
Sum?

M. There *Meyrick* falsifies again in the valuation of *Medley's* Pre-
ferments, the two Rectories being then set for 80 l. per Annum, *Clyddy*
being

Part 3. being but 15 *l.* as you confess, and *Llanuthal* but 11 *l.* clear, which which falls above 40 *l.* short of this insidious Estimation.

L. Suppose them to be no more than 100 *l.* per *Ann.* that was enough to keep *Medley* out of these Streights, nay to put him into plentiful Circumstances; but instead of that, he confesses in his Answer to *Mr. Meyrick*, that it was better with him when he was a Curate in his own Country in *Yorkshire*. Which could not be, had not the Bp. intercepted the profits of his Preferments, and diverted them from *Medley's* to his own Use.

M. Be not too hasty in defaming the Bp. and condemning a Righteous person, a Brother not to say a Governor amongst us. Consider what you said a while ago that *Medley's* Curacy in *Yorkshire* was but 30 *l.* per *Ann.* This tho it might decently maintain him during the time he served there, yet 'twas impossible that from hence he should be furnish'd with Money to take seven expensive Journeys, one to *London* in *May* 88, another back to *Headdon* in *June* following, one to *St. David's* in *July* 98, with a Servant and two Horses, another to *London*, another from *London* to *Headdon*, and another back to *London*, and lastly to *Blethvach* from *London* in *January* following. 'Twas not a little that would purchase him a Horse, and equip him decently for his Travels. Add to this the charge of First Fruits, Institution and Induction, Fees to two Rectories, and four or five Dignities, Procurations, Tenths, Taxes, his own Dyet, the Charge of serving his Cures during his absence whilst he went to his own Country, the slowness of Tenants in paying their Rents, and many other ways whereby Money runs from a Clergy-man. Put all this together, and was it so very strange that on the 2d. of *April* after his coming into the Country he should want 10 *l.* were the *Lady-day* Rents come in by that time? Our Tenants are not so quick, wherefore since 'tis plain that *Medley* was not a Man beforehand with the World when he came into *Wales*, it could not otherwise be, but that he must be considerably in Debt to some body or other, and had he known where to raise it, might have found ways enough to dispose of a larger Sum than this borrow'd from *Meyrick*. And if under this load of Debt, notwithstanding this accumulation of Preferments, he said it was better with him when he had 30 *l.* a Year *de claro* coming in, and no Debt or Deductions, any man that considers the Charge he had been at, may readily believe him, without reflecting upon the Bp.

L. But what had the Bp. to do to finger his Money, could not he have left him to manage his own? Why should the Rents of *Clyddy* and other things be paid into his Lordships hands?

M. When

M. When you have Charged the Bp. with all that he receiv'd, Part 3 then will be the properest time to answer that Question, Is there any thing more in *Meyrick's* Deposition?

L. Nothing very material, only he tells you That in the May following, he Received a Letter from Medley, importing that the Bp. would by no means, Consent to renew the Lease, upon the Terms agreed between him and the Deponent, that the October following, the Deponent went to the Bp. who finding the Deponent would not advance the Fine, agreed to take the 25 l. and order'd the remaining 15 l. (the 10 l. to Medley being deducted) to be brought, which was accordingly done, and the Deponent was about to pay it to Mr. Medley, which the Bp. seeing, called out and told the Deponent, that Medley could not count Money. A pretty Man to make an Arch-Deacon of afterwards!

M. Is counting of Money, (so warily and judiciously as not to be Cheated) such a necessary Qualification in a Dignitary of the Church or any Obstruction to higher Promotions? At that time a day, when the Coin of the Nation, was so much debased and Counterfeited. Without doubt there were hundreds of Learned Men in the Kingdom, that might have been imposed upon in the Receiving of a lesser Sum. Especially if it were to come from the hands, of such a one as *Edmond*. The Bp. I think did wisely, to put one Sharper to watch another, that so *Medley* might not be imposed upon. And I'm glad withall, to find that Mr. *Medley* was present at the making of the Bargain, otherwise had the Bp. consented to it in his Absence, all would have been look'd upon, as his doing nothing, and even a piece of Friendship have been adjudged Criminal.

L. Never talk of *Medley*, he signified nothing here nor there, but was a meer Cypher. By chance indeed, he did come beyond the 10 l. but the Remainder was paid by *Meyrick* to *Powel*, and as *Powel*, has deposed what he thus received, be paid to the Bp.

M. And that upon a very just Account as shall be shewn hereafter, in it's proper place, for I won't now interrupt you in the Course of your Proof.

L. Then the next Preferment to be consider'd, is the Arch-Deaconry of St. *Davia's*. The same Mr. *Thomas Powel* swears, that Mr. *Medley* was twice Collated to this Dignity, the first time, about *Michaelmas*, 1690. what's this.

M. A gross and unpardonable mistake in your Author, for as I told you before, look to *Powel's* Deposition, and then he Swears that the Arch-Deaconry of St. *Davia's* being void, about *Michaelmas* 90. that thereupon Mr. *Medley* was first Collated to it about *March* following. The Dr. is doted sure, or much Malice has made him Mad.


The promys.
29 Wit. ad
Art. 2, 3, 4.

Part 3. *L.* Were he present to hear thee, I believe thou would'st make him so outright. But why was Mr. *Medley* Collated again, in 91? There was some trick or other in that.

M. Only on honest contrivance to keep him in the place, which had honestly been bestow'd upon him: for Mr. *Medley* through inadvertency, or upon a supposal that it was not necessary, having neglected to take the Test, the Bp. by discoursing with him, discovered the Omission, and to prevent all hazards, Collated him a fresh.

L. This Deponent further Swears, That he knew by the Bps. Letter and Discourses, that he intended to hold the Arch-Deaconry in Commendam; and that after it was void, he said he would so hold it.

M. Yes sure, for how could he any way lay hold on't before? Can either you or any of the Party swear that ever you knew a Bp. who had the Privilege of a large Commendam, and an Opportunity to fill it up, who nevertheless was Guilty of so much self-denial as to let go so many sweet places, as he then had his choice of? The Rectory of *Abereddo*, value six score Pounds per Annum. Arch-Deaconry 52, Treasureship of *Brecon* 60. reserved Rent. Had his Lordship been such an Ecclesiastical Raparee, as your Author would represent him to be, or had he resolv'd to reap the Profits of the Arch-Deaconry and Treasureship, who could have hinder'd him from enjoying the Effects of that gracious Patent, confirm'd by Royal Authority? Why should he have involved himself, and his Kinsman in the Damnable guilt of Simony, and expos'd both himself and his Relation to the Judgment of this World, as well as the next, by any corrupt Contract when by Law he might have assumed both to his own proper use? But for very good and unexceptionable Reasons, he gave them his Nephew, and that if the Truth was known, was a Grievance and a very sore one to *Tom Powel*, and several others. Bro. *Arnold* that empty and insipid piece of Formality, put in very strongly for it, and to the great disappointment of his Sister (*Tom Powel's* Wife) and that whole Family was denied. *Tom Sandy's* would needs have it by all means; and when he miss'd, *Jerry Griffiths* because he would loose nothing for want of asking, came to sue for it. To all these, the Bp. answered in his short Commendam; but some of these still insisting in their unmannerly importunity, and others frequently Soliciting his Lordship from several parts of *England*, to purchase Peace and Quietness, and to disoblige none of those eager Competitors by preferring one before the other. He sent for Honest Mr. *Medley*, who was serving of God, doing his Duty in his Parishes and never thought on't, and freely gave him both that, and the Treasureship of *Brecon*. This instead of quieting set the whole Herd a grunting, and if the very Truth were known, this put *Powel* and several others

others, upon Swearing at this uncharitable, unmerciful rate, against *Part 3.*
his Lordship. 

L. No, 't'was the Simony that follow'd this Collation, this Exaltation of *Medley* that offended them all, and even forc'd them in Conscience to use the Bp. with this Extremity, *Powel* swears directly, and you cannot deny it, *That in the year 91. he being Tenant to the Arch-Deaconry, paid the Bp. 52 l. and that he did the same in 92. and 93.* *p. 30.*
That Medley never ask't the Deponent for the said Rents.

M. Why should he, when he knew the Bp. (who had receiv'd them by his appointment) had applyed them to his use ?

L. To whose use ?

M. To *Medley's* use, as I can demonstrate.

L. There will be a large Reckoning anon, Friend.

M. I'll answer it I warrant you ; do you proceed.

L. I was going to tell you, had you not interrupted me, *That since Mr. Medley ask'd the Deponent for the said Rents, about two Months after, he, the Deponent had paid the first rent to the Bp. to which Demand, the Deponent made Answer you know I have paid my Rent, and to whom, To which Medley reply'd, Ay, my Lord saith, I owe him a 100 l. but I don't know, I hope it will be off at Michaelmas next, and then, I shall have it myself by which the Deponent apprehended that the 100 l. would be paid off by Michaelmas 92. But the Bp. having tasted the Sweets of this Arch-Deaconry, thus coming in, could not so let go his hold of it. For the Deponent further Swears. That having above the 156 l. aforementioned, (for so much the three years Rent amounts to) receiv'd some Induction Fees, belonging to the Archdeaconry, which he paid to the Bp. that the Bp. after this in 1694 wrote a Letter to the Deponent, wherein he said, the Induction Fees I am to have till Michaelmas next upon a Bargain.*

M. That *Medley* owed the Bp. 100 l. (as he confess'd to *Powel*) is certain in that the Bp. in 90 or 91, deposited that Sum for him, in part of Portion for his Sister *Elizabeth*, who was Married to Mr. *Charles Pryce*, who gives it upon Oath, that he receiv'd the said Sum from his Lordship, with 400 l. more his Lordships free Gift's to and along with the said *Elizabeth* in Marriage, and tho' that 100 l. were struck off in 1692, according to *Powel's* Conjecture, yet Mr. *Medley* out of a desire to see another Sister settled well in the World, promised 200 l. with her, the Bp. added 200 l. more of his own Money, and at *Medley's* request paid 124 l. for Mr. *Medley* upon this account, as Mr. *Henry Powel* the person that Married her has *See p. 35.*
deposed ; wherefore *Medley* still running into the Bps. Debt, is it so much to be wondred at, that, besides the few and Induction Fees paid by *Powel*, added to the 156 l. already mention'd, the Bp. should still in 94 lay claim to other Induction Fees, which together

Part 3. gether with what already was paid, would not balance the sum lent by the Bp. to *Medley*. 'Twas kind I think in his Lordship, thus to take up in small parcels what he disburst in large sums, and is so far from being Criminal, that they may blush, who spitefully endeavour to blame him for Acts of Charity, Benevolence and Generosity.

L. But why should *Medley* be thus run out of the profits of his Preferments, by Portioning these Young Women?

M. His Father was Dead, his Mother could not do it, the Bp. like a kind Uncle, handsomly contributed towards it, and *Medley* like an Affectionate Brother (having enough besides for his own Maintenance and Charitable Uses) made up that Sum which each of the Gentlemen insisted upon in lieu of the Jointures which they upon Marriage settled on their respective Wives. And since *Medley* had neither Wife nor Child who should say unto him what dost thou, wilt thou make it Criminal, for a Man to provide for those of his own Household, when the very Scripture upbraids him as worse than an Infidel, that does not, if it be in his Power?

L. I shall hear you anon, tho' you have escaped for this time, beyond Expectation.

M. I go on in the plain way of Truth, and there you or any body, may have me when they please, who's your next Witness?

L. We have not done with *Powel* yet, for he in another place further Deposeth, that about *Michaelmas* 92. Accounts were passed between the Bp. and the Deponent, wherein the Deponent charged himself with the Rent of the Corps of the Arch-Deaconry for two years, as Receiv'd for the Bp.

M. Mr. *Medley* had for a time, demised these to his Lordship, and that upon good and just Considerations, as you have already heard, tho' it was, I confess, inadvertently done of the Bp. to let *Medley's* Rents and Rights, be intermixt with his.

L. It seems he did bethink himself, for when *Powel* came in 93. with another Account, drawn up after the same manner, the Bp. order'd him to strike out *Medley's* Rents, That tho' the Deponent did so, yet he paid the Money 52 *l.* to the Order of the Bp.

M. All that Malice it self can infer from that is answer'd before.

L. But that, says my Author, which fully makes out the Simony in this Case, without the need or help of Presumption.

M. Why did not you give us that at first, and spare all this trouble?

L. You

L. You will have it time enough, thus it is: *Wm. Harris* Swears to one of the Bps Interrogatories, that the Respondent was with *Medley* when he was admitted to the Arch-deaconry 1691, and that the Bp. then told *Powel* (the Tenant) that tho *Medley* was made Arch-deacon, yet he must not pay him the Rent thereof, but his Lordship, and *Medley* being then present did consent thereto.

M. And well he might, having before that borrow'd of his Lordship 100 *l.* in order to pay part of his Sisters portion, as has already been proved, and will further be demonstrated. Is this the Witness that *Jack Scurlock* lock'd up, least he should prove Simony? Is this the full discovery of the pretended Mystery of Iniquity, that your Author would render so plain, that there would be no need or help of presumption?

L. You do not mind the force of the Deposition, and where the stress lies, or else you would not make so light of it. Tho' Mr. *Medley* was Arch-deacon, yet *Powel* must not pay him the Rent thereof, but his Lordship.

M. What Rent?

L. The Rent then due, and other Rents as they should become payable.

M. Does *Harris* Swear to these Words?

L. No, but so they may be taken.

M. By no man sure of common sense: *Medley*'tis certain did not mean so, for *Powel* deposes, that he told him in 91, two Months after *St. James's-tide* (which must be at the latter end of *September* at least) that by 92 he hop'd to have the Rent to himself when the Bps. 100 *l.* was paid. *Powel* undoubtedly never apprehended the Bp. or *Medley* in your construction, for then what need had he to have gone thro' those several particulars, wherein he only charges the Bp. with a bare receiving the Rents? Whereas had the Bp. and *Medley* thus concerted the matter fully, according to your Authors interpretation, he might have spoke to the point at once, and two Witnesses concurring in the same thing, might have gone a great way towards the ruine of the Bp. I do not believe that either of them so understood his Lordship: We are sure of *Powel*, and if blundering *Will. Harris* did take it your way, yet the words will not bear that construction, nor does the subsequent practise of the Bp. give any Umbrage to it. For you hear nothing of his receiving the Rent after 1693, only the payment of the Induction Fees in 94, towards the making up a Sum which *Medley* owed to the Bp. and for the clearing of which he assigned for that time those perquisites, which with us you know are very small.

D

L. But

Part 3.

L. But if *Medley* were really thus indebted to the Bp. as you pretend; why could not he have receiv'd his Rents and paid his Debts himself, but the Bp. must in this Scandalous manner be managing of them, and him?

M. That the Debts were real, has been prov'd, and tho' *Medley's* receiving them with one hand, and paying them to the Bp. with another, would have been a more artificial, yet it wou'd have been more suspicious had it been detected. And since nothing was design'd or done, but what was fair and honest, I know no reason why they might not act above board, as we say, without any thing of slyness or secrecy. There may this reason also be given for the Bps receiving them, in that he lived near to *Powel*, within a Mile of him, and therefore could take them up with less expence, whereas if *Medley* who lived above Forty Miles off, had come to gather up those dues, (besides the inconveniency of Travelling) it would have been something more of charge than he needed to take upon him at that time, unless his business at Home upon his Cures had been less and his pocket fuller than 'twas.

L. You have a Salve I find for every sore.

M. No, my Employment is not so cleanly as a Surgeons I am rather forc'd like a Scavenger to clean away that dirt, which your Author has laid contrary to all good Manners at the Bps. door.

p. 33.

L. Since your hand is in at that sort of work, take this heap along with you, if it be not too much for you, *The last preferment to which the Bp. collated Mr. Medley Simoniacally, is the Treasurership of Christ-Church in Brecon.*

M. Nay, the first if it be at all, for tho' you have charged his Lordship with the receipt of the Money, yet you have not in the least attempted to prove any Simoniacal Contract betwixt the Bp. and his Nephew. Not before *Medley's* Collation, that none of the Witnesses offer to attest, and as for what was done after that was in the way of Justice and Honesty, in consideration of Money lent to *Medley*, or paid upon his account by the Bp. after he was invested in, and possessed of this Dignity and other places. If paying of Debts lawfully contracted, be Simony, *Medley* is grossly guilty and ought to be severely punish'd, but then it must be by a strange Law *ex post Facto*. For hitherto such sort of dealings have been reputed as no less than Acts of Justice and Righteousness.

L. Well suppose the Rents of the Arch-Deaconry ought to have gone the way that you discover, yet what excuse can you frame for his Lordships receiving the Rents of the Treasurership of *Brecon*? Mr.

Griffith

Griffith Davies Swears, That in 94, Mr. Medley granted a Lease of Part 3. the Corps of this Dignity to the Principal and Fellows of Jesus College in Oxon, and that he, the Deponent, did pay the Fine for Renewal thereof, being 75 l. to the Bp. of St. David's, about January 94, and also 90 l. Arrears of Rent, and that he believes he receiv'd the Rent of the Treasurership, being 60 l. per Annum ever since Medley's Collation thereto.

M. His Evidence affects the Bp. no further than he is positive, as to the payment.

L. Then to satisfy you and leave no room for exceptions; *Mr. Tim. Huxly* Fellow of Jesus College deposes, *That in 95, he receiv'd several importunate Letters, subscrib'd David Robertson, intimating that the Bp. of St. David's had occasion for the half years Rent due from the Corps of the Treasurership, and that his Lordship should disappoint several persons in London if that Rent was not speedily paid, thereupon the Deponent procured a Bill of 30 l. and sent it to the Bp. I suppose there were no more Sisters to be Marry'd, at least I never heard of them.*

M. No, but there was a Mother of *Mr. Medley's* to be maintain'd, and since she had done him the favour to bring him safe into the World, and to take a tender Care of him in his Infancy and Childhood, when he was not able to help himself, and of his Education; therefore out of Gratitude and as in Duty bound both by the Laws of God and Man, he (God and a good Friend having enabled him to do it) very Affectionately took Care to make her old Age as comfortable and easy as possible, and having desired the Bp. at several times, to make large Remittances to her, no body can blame him for Re-imbursing the Bp. as his Profits came in.

L. The two Sisters I have seen, and do partly believe that *Medley* might contribute to the Portioning of them, but I look upon this old Woman as a Fiction or a Fable.

M. If you ever have the Opportunity of looking into the Depositions at large, you will there find her not only to be a real Person, but a home Evidence, for there she stands and thus Deposes, that she not only Receiv'd 124 l. from the Bp. by her Son's Order, and at his desire, but also 10 l. more paid her by *Mr. Lambert* from the same Hand.

L. This falls short of the Sum, receiv'd from Jesus College considerably.

M. That I own, but then there are other Debts of *Medley's* to the Bp. which more than make it up. The readiest way to end this part of the Dispute, will be to Charge the Bp. with what he hath receiv'd and then if I cannot by Specialities and other lawful Obligations, more than ballance that Sum, let both the Bp. and *Medley* be repu-

Part 3. ted Guilty, for besides what was thus sent to Mrs. *Medley*, the Bp. also paid the first Fruits for the Arch-Deaconry and Prebend, which amounted to 82 l. 17 s. 2 d. and discharg'd a Bond given by Mr. *Medley*, to Mr. *Rowland's*, for the Sum of 86 l. with Interest, put all this together, the Sum is 302 l. 17 s. 2 d.

L. No, I object against that Sum last mentioned, for 'twas only a piece of Collusion, a mere Trick betwixt the Bp. and *Medley*, to cover their Simonaical Practises. He no more owed Mr. *Rowland* 77 l. than he did to you or me.

M. Either prove you that he did not, or leave it to me to prove that he did.

L. I would Immediately save you the Labour, and stop your Mouth, but that the falling upon that Point now, would interrupt the Method which my Author has laid down.

M. Let him Methodize his matter as he pleases, this seems the properest time and place.

L. Have but a little Patience, and I'll pay you home for your forbearance. Listen only to what Mr. *Griffith*, Mr. *Thomas Powel* and Mr. *Harris* have Deposed as to the Simony and then your Excuses shall be considered and refuted.

L. That's a mistake of yours, for *Griffith's* having Deposed; That upon his making Application to the Bp. for this Dignity, and receiving for an Answer, that the Bp. design'd to hold it in Commendam, the Deponent as another Ground of his Belief of this Fame, further Deposes, That Mr. *Medley* being indebted to this Deponent in the sum of 8 l. he wrote to him for it, but could get no Money. That upon *Medley's* complaining of want of Money, the Deponent desired him to send an Order to his Tenant of the Corps of the Treasurership to pay it, But Mr. *Medley* sent an Answer to this Deponent, That he durst not for the Bp. meddle with that Rent.

M. And a very good Reason too, seeing Mr. *Medley* had beforehand assign'd it over, to discharge that Debt, which he had Contracted with his Lordship, by the frequent Remittances his Lordship made to Mr. *Medley's* Mother as aforesaid.

L. My Author gives you another, a clearer and more credible Representation of this Transation, *Powel* (says he) told as before, that the Bp. twice resolv'd to hold the Arch-Deaconry in Commendam, and by *Griffith* we find that he design'd to hold the Treasurership so, but, it seems if Mr. *Medley* will take them, and let the Bp. receive the Profits 'tis a much better device and these are conveniently superadded to the three or four Benefices held in Commendam.

M. By whom ?

L. By the Bishop.

M. Which be they ?

L. I

L. I can't tell. My Author does not mention them.

M. Nor is it possible he should; for all that the Bp. did hold together with the Bishoprick in *Commendam*, was only the Living of *Burrough Green* in *Cambridgeshire*, not one Benefice or Dignity besides, and yet your Author heaps three or four upon him, without the least shadow of Truth or Reason. I won't disturb my self so far as to chastise such an Impudent Lyar according to his Demerits.

L. *Aliquando bonus dormitat Homerus*—

M. I allow every voluminous Author to be a little dull now and then, but a notorious willfull piece of falsehood is unpardonable in any Writer: Then observe again how his Reason and his Conscience are both of a size and equally corrupt. The thing to be proved was Simony. In order to this, according to his indiscreet way of choosing *Medimus* and his abominable insincerity of relating things by halves, he in effect only acquaints you, that the Bp. once design'd to hold the Arch-Deaconry and Treasurership in *Commendam*, but that afterwards he collated *Medley* to both, receiving the Rents himself for some Years. Now what follows from hence according to his own way of arguing (and he has indeed a peculiar faculty that way) why, it seems that if *Medley* will take the Titles and let the Bp. have the profits, 'tis a much better device; and what if it does so seem, are men to be scandalized and condemned upon doubtful appearances and conjectures? Does all this amount to a direct, full proof of a Simonaical Contract, and that *Medley* pursuant to that Contract, let the Bp. take the profits to his own use? Might there not be (nay were there not) other reasons, and these justifiable and honest for the Bps. receiving the income of these Benefices for some time, were not these obvious to your Author? had he not seen them in the Depositions, and heard them urg'd in Court, and ought not these in an argument of this Nature to have been exhibited and set in full view, but then neither the Bps. nor *Medley's* practice would have seem'd Simonaical and therefore 'twas a better device to suppress and stifle those; and then it seems indeed if there had been something of corruption betwixt them, but nevertheless is far from being either Judicially or Logically proved, even according to your own just Notion of Simony. Judges in other Courts proceed *Secundum Allegata & Probata*, but here we have only Allegations and no proof.

L. Be not too hasty, good Sir, nor take up my Author before he is down, we have other Evidence to produce, and withall have Objections in Reserve, which will quite confound those plausible Accounts, whereon the Bp. so much depends for his Justification.

For

Part 3. For Will. Harris Swears, that Medley was look'd upon by many people, as a person made use of by the Bp. to fill up places for himself to take the profits of them.

M. By many people from whence I gather that as Jerry Griffiths would be thought Evidence extraordinary in behalf of persons of figure and quality, so Will. Harris was to pass for the Month, Orator, or representative Evidence of the Mobb, and both with equal Authority and Veracity. For if as Harris Swears, many were of this opinion, why was not One produc'd to back and strengthen his Testimony, when, or where were these two Worthies, deputed to give the Sense of the Gentry, or populace of these respective Counties? If any had talk'd in this manner of the Bp. yet none of them durst appear to verify their words. Why did not some of them at least come along with these (as they would be thought) Grand Jurors to assure the Commissioners that they agreed in the Verdict of their Foremen? 'Tis scandalous and ridiculous to offer these things as proofs, and highly probable, that these two perjur'd themselves.

L. Why so?

M. Because the Bp. produc'd Many persons, both Intelligent and Reputable that gave Testimony to the contrary, viz. Mr. Ch. Pryse, our late Chantour, and a Gentleman of a very good Family, Mr. Geo. Lewis, Vicar of Abergwilly, Mr. Tho. Phillips, Rector of Aberredow, Mr. Fr. Beal, Mr. Tho. Griffith, Mr. Howel Griffith, and William Williams, Gent. Mr. Ch. Pryce, Vicar of Llanarth, all of them Intelligent and Reputable, beyond whatever Harris or Griffiths could pretend to be.

L. And what do they Swear?

M. All of them that they do believe Mr. Medley to be a person of so great Sobriety, Godliness, and other good Qualities, that he would not be guilty of Simony, against which Cloud of Witnessess you exhibit in opposition only Griffiths and Harris Swearing Hear-says, and their own uncharitable groundless Conjectures.

L. I shall not rest much upon the Validity of their Testimony, or even the Substance of what they swear, for the thing is plain of it self. You allow that the Bp. receiv'd the Rents, and tho' you here and there tell a story of this and the other Girl that was to be Marry'd and Portion'd, and then of an old Woman that run away with another round Sum; all which were you to have your own Reckoning, does not amount to his Lordships Receipts, and therefore let us come close to the point. Here in particular and afterwards in gross, I charge the Bp. with 60 l. receiv'd from Clyddy, 156 l. besides Induction fees from the Arch--Deaconry, and

and 315 *l.* from the Treasuryship, in all 531 *l.* Balance me this Ac- Part 3.
count fairly and honestly, and if it be on your side, than I'll own there
is Justice in your Scale.

M. I might except to this Charge, in as much as you have proved
upon the Bp. the receipt only of 195 *l.* from the Treasuryship of
Brecon (viz. 75 *l.* and 90 *l.* paid by Mr. Griffith Davies, and 30 *l.*
by Mr. Huxley,) whereas you put down here 315 *l.* But I won't
stand with you for that, being able to demonstrate that *Medley* was
lawfully indebted more than this to the Bp. As thus,

	<i>l.</i>	<i>s.</i>	<i>d.</i>
By a Bond of 80 <i>l.</i> for the payment of 40 <i>l.</i> and Interest } from May 1681. -----	064	00	00
Lent him for Journeys to Bugden and Peterborough for } Orders -----	005	00	00
Lent him for his Master of Arts Degree and Gown -----	018	00	00
Paid by the Bp. for his Board Six Months -----	006	00	00
Paid the first fruits for his Livings -----	045	09	11
To Mr. Dowglafs by his Order -----	001	05	00
To Mr. Lambert at Hull by his Order -----	010	00	00
Paid by his Order to his Taylors Widow -----	005	02	06
To Mr. Rowland upon a Bond given by Mr. Medley, Jan. } 2. 1688. for 77 <i>l.</i> and Interest thereupon -----	086	00	00
	241	17	03

L. And how shall we have an Account of the }
remaining. -----

M. In this manner, and that very honestly,

Paid by the Bp. on his behalf for Tenths -----	004	14	01
To himself at several times -----	059	03	04
Paid to his Mother by his Order -----	122	05	10
Paid for first Fruits of Arch-Deaconry and Prebend -----	082	17	02
As part of his Sisters Portion at his Request to Mr. Ch. } Pryse -----	100	00	00
To Mr. Powel who Marry'd the other Sister -----	124	00	00
Indebted for Synodals -----	005	00	00
For a Cloth Gown and Cassock -----	007	15	00
	505	15	05

L. Have

Part 3: L. Have you no more?

M. If I understand Arithmetick there's enough, and something over and above.

L. Nay, 'tis cast up exactly enough, but the Question is whether a Farthing of Money, were ever lent to *Medley* by the Bp. or paid for him.

M. I thought I had satisfied you, as to the Loan of several considerable Sums, and the Payment of others, according to *Medley's* Request and Order; to very good and laudable uses. What makes you fly off now, and Scoff at an Account so fairly stated?

L. Why looking here upon the 36. page, my Author informs me, *That these Accounts are at first sight very Suspicious.*

M. But Wise Men do not pass Judgment upon the very first apprehensions, that they may have of a thing, especially if it be (as this is) a matter of great importance. The usual and honest way is to consider, what may be said Pro and Con, and to incline after this deliberation to that side, which has the greatest appearance of Truth and Reason. In Criminal Causes especially, 'tis a Rule to be favourable to the Party accused, unless the Proofs be plain and convincing, it being better to Absolve a guilty Person than to Condemn one that may be Innocent. But I won't stand upon that Privilege, but am ready to bear the brunt of any Objections, that your Author has started or that you your self can invent.

L. There's no need of Invention, for here he offers you two very Substantial Reasons, why these Accounts are to be rejected, First from their being of so long standing before they were settled, viz. from 1681. to 1696. and Secondly, from their being settled at so Critical a time, viz. a little before *Michaelmas* 1696. which was a little after the Process was Personally serv'd upon his Lordship to answer to Articles of Simony, &c.

M. As both those Objections are founded upon a Palpable mistake, so upon discovering of that, they fall of course, without any further refutation; for the 1st. was adjusted *August* the 5th. 1691 (some time after *Medley* was collated to both those Dignities, the other *Sept.* 21st. 1695. a whole year sooner than your Author pretends. See the Deposition of *Wilfray Fyemont*, and now what can a Man say severe enough against your false Dr. who thus notoriously swerves from the Truth in relating bare matter of Fact.

Bp. 46.
Win. ad.
art 6. in
ser.

L. Let *Him* alone, your business is to clear the Bp. and in order to that, pray tell me, why (even according to your own Computation) the first Account was not settled till 91. seeing most of the Debts therein specified are of old standing, some of them ten year or more.

M. What

M. What can be inferr'd from hence, but that the Bp. bore with Part 3. his Nephew very compassionately, till he was in a Condition to pay, at least to do something towards it?

L. But does it not look ill, does it not carry in it something of a Simonaical Air, that the Bp. should take this particular, singular Care to prefer One, thus indebted to him? Did not his Lordship by such a Promotion consult his own Interest, in his heaping Preferments on *Medley* which would soon bring in what he owed his Lordship?

M. Here take the Accounts, look them over, and answer thy self.

L. As how. I don't understand your meaning?

M. Then thus it is, see 1st. how much *Medley* was Indebted to the Bp. before he was preferr'd, and then look to the Foot of the Accounts and tell me, how much he is indebted to him still, unless he have paid him since the time that matters were thus adjusted in 95. your Charge amounts to 531 *l.* the Bishops demands upon *Medley* to 744 *l.* *Medley's* Debt to the Bp. before his Promotion to 93 *l.* and where was the Bps. care all this while, to have in his own Money, whilst he still suffer'd *Medley* upon his own Personal account, or for the good of his Mother and Sisters, to run further in with him.

L. But I do not admit of these long Accounts.

M. But I will justify them.

L. In the same way I suppose, that the Bp. did upon his Tryal, By examining several of his Relations and Servants, who Swear no more than this, that *Mr. Medley* own'd them to be true Accounts.

M. Thy Author has got such a wicked humour in his Tongue of late, that he can't speak one word of Truth. Did the Bps. Servants and Relations swear no more than this, that *Mr. Medley* owned them to be true Accounts? Did not *Mr. Charles Pryse* Depose that he Received 100 *l.* upon *Mr. Medley's* Account from the Bp. as part of his Wifes Portion? Does not *Mr. Henry Pomel* testify that he with the other Sister receiv'd 124 *l.* paid by the Bp. by *Mr. Medley's* order? *Bps. 15 Witnesses.* Does not *Mr. Mealey's* Mother swear as to the Receipt of the 10 *l.* and the 124 *l.*? and is not this something more than *Medley's* alone owning the Accounts to be True? what do you make of these Depositions? *Bps. 14 Witnesses.*

L. My Author thinks, that he may truly affirm, That no one considerable Item in that, is Legally prov'd.

M. As legally sure, as they need to be Prov'd, unless the Bp. had sued *Medley* either in Common Law, or Chancery, and thereupon had obtained Judgment against him, which neither of these Courts would have deny'd upon this Evidence, and I question not, but there is as much Righteousness in them, as in our Ecclesiastical Courts notwithstanding they assume the Title of *Spiritual*. Point out the particulars that are not justly Prov'd.

Part 3. *L.* They are so many, *That the design'd Brevity of this Summary View, would not give leave to run through them.*

PAGE 37. *M.* And therefore he'll run through them, or wholly pass them by, when as the main stress of the matter lies upon the Justice or Iniquity of these demands of the Bp. from *Medley*.

L. He Examines *One, and that a Considerable Item, by the Proofs of which we may guess at the fairness of all the rest.*

M. And is that fair in him or would such practice, pass in any other Case? Suppose you or I dealt with any Tradesman, and he in his Bill shou'd Charge either of us (through mistake or otherwise) with one false Item, could we therefore either in Law or Equity, set aside the whole Debt, or put him at defiance for other particulars. This might give occasion for the making it more strict in Examining every other Item; but would be far from Justifying us in Endeavouring to put him by, what undoubtedly was due.

L. But if I shou'd find any Man wilfully making a false Charge upon me, I should think him to be a Knave, and if his Lordship has falsified in any one particular, it will make the whole look very ill on his side.

M. That consequence I could deny; for the Reasons aforementioned, and for others that I shall give, before we have done with this Head, but pray lay open this mighty Fraud, which in your Authors Opinion blasts all that stands near it.

L. 'Tis the last Item in the first Account, *The 86 l. Principal and Interest charged as due, by Bond to Mr. Rowland.* Certainly if the Bp. could have proved any one particular, fully and directly; he might have done it in this, by producing *Mr. Rowland himself.*

M. Could not the reality of that Debt, be made out unless *Mr. Rowland* appear'd in Person? What if he had been dead, must his Assigns or Executors have lost their Money?

L. No Sr. But *Mr. Rowland* was alive, And the Bps. neglect in not producing him, was objected to his Lordship at the first Hearing of the Cause, and the Bp. seem'd then resolv'd to have him in, but for Reasons best known to himself, he did not make use of his Testimony.

M. And what if good reason may be Assigned for the Bps. not producing him, he having sufficient Proof besides; where then is the force or strength of your Authors Exception?

L. That shall immediately be Examined into, for look you here, in Order, to fasten this Debt upon *Medley*, the Bp. exhibited the cancelled Counterpart of an Indenture dated Jan. the 2d. 1688. and sign'd by *Mr. Medley*, wherein he acknowledges to have Receiv'd of *David Rowland*, of *Westminster Esq.* the Sum of 77 l. Demising and Leasing to him, the Tyths of his Rectory of *Blethrvagh*, and the Rents of his Prebends of *Clyddy*.

dy and Clirow for one Year, in Witness whereof the parties interchangably **Part 3.**
Signed and Sealed this indenture; The Witnesses to which are Henry Pool
and Robert Douglass, who both Swear to the Execution of the Indenture by
Mr. Medley.

M. There's my good Boy, go on at that rate as long as thou wilt.

L. Any thing that makes for you, you take extreamly well, but observe how I face about: Neither of them depose that they saw any **p. 38.**
Counterpart executed by Mr. Rowland.

M. Any Counterpart? To what purpose shou'd there be one, unless Mr. Medley had suspected the common honesty of that Gentleman, who had so Generously ventur'd to lend him Money upon such slender Security. Is not the signing of this Indenture before Witness, voluntarily and freely, a sufficient legal acknowledgment of the Debt.

L. It might have been so, had the Witnesses seen the Money paid.

M. Neither you nor I, Friend, are Lawyers, but so far I can assure you on my own knowledge, that I have seen several Leases Signed, Sealed and Delivered, where the Lessor has not pocketed one farthing; the person who drew the Lease, has in a formal way, handed Six pence, a Shilling, or half a Crown betwixt the parties Covenanting, but then has been sure to put it up again, the Consideration Money having either been paid before hand, as in this Case, or afterwards. So that what the Dr. offers in this Case is so very weak and frivolous, that he must be content to be laught at by ever Attorneys Clerk, for his Simplicity.

L. But hold, Sir, there is something more in this transaction than perhaps you are aware of, and which makes this Case vastly different from other common instances you refer to. For Mr. Pool in answer to one of the Interrogatories, Swears, That on the same day this indenture was executed, he this Respondent coming to the Bp. for an Institution, and not **Bps. 26**
having wherewithall to pay the Fees, which came to 6 l. he gave Bond for them **Witm.**
to Mr. Rowland, which Bond he had up again from Mr. Powel the Deputy Register upon payment of the 6 l. to him.

M. And what did Powel do with the 6 l.

L. I do not know for certain, but suppose it was paid the Bishop.

M. Can't you Prove it?

L. No, but we infer from thence, That if Pool executed a Bond to Mr. Rowland, to whom he owed no Money, but that Bond was to the Bps. Use.

Part 3. *M.* I love dearly to hear thy Author argue, he does it after such a queer manner; and in a Method so different from all the Logicians in the World, that it tickles my Spleen wonderfully. Go on prithee.

L. Why may it not (says he) be fairly presum'd that Mr. Medley might at the same time and place Execute an Indenture to Mr. Rowland, and it be for the Bps. use and not on account of any real Debt due to Mr. Rowland. Now laugh as much as you will, but you had better spend your Breath in making a full and just Reply.

M. To what? all that is offer'd has not the least colour of an Argument or Objection. *Pool* was to have paid the Bp. 6 l. for Institution Fees, &c. but having not the Money, and the Bp. wanting it at that time (as it is very well known the Bps. circumstances were strait enough, till the Reversion he purchas'd fell to him) hereupon the Bp. borrows 6 l. of Mr. Rowland's, and makes *Pool* give Mr. Rowland's a Bond for it.

L. That is not proved.

M. Surely I may suppose as well as your Author, tho' I scorn to presume as he does. Well *Pool* gives a Bond accordingly, which Bond is sent down to *Tom Powel*, who receives the Money; and does nobody knows what with it, nor your Author after all his curious inquiring into the Bps. faults, for then certainly he would have told us. But to follow him in his Wild Goose Chase, upon a supposal for which he assigns no manner of Ground, he takes the Liberty to assert that that very Bond, contrary to the express Tenor, and delivery of it was for the Bps. use. And then begins to chop Logick in this Audacious ignorant manner: Why may it not be fairly presumed, that *Medley*, tho' he executed an Indenture in the same time and place to *Rowland*, might do it for the Bps. use, and not on the Account of any real Debt due to the Gentleman. If I should frankly allow all this, would Presumption in any Court of *England*, overthrow positive Proofs: If *Medley* had the Sum of 77 l. in order to pay for his Instruments, to discharge other Debts which he had Contracted, in preparing himself for his Journey into *Wales*, and for his Expences upon the Road in several other Journeys, and for his Subsistence and Settlement till his Profits should come in. What matters it, whose the Money was, whether the Bps. or Mr. Rowland's: From whose Purse soever it came, it ought to be returned again, unless it had been freely given, which it was not; *Medley* entering into Covenant and Bonds of Performance, for the repayment of it. What if the Bp. did underhand deliver the Money to Mr. Rowland's, and he lent it to *Medley*, in order to oblige him to be the more careful in making

making a seasonable and just return of it? Since *Medley* had occasion for such a Sum, and could not possibly carry on his business without it, where's the Simonaical pravity of this piece of Management? What can you make of it, (were it so) but an honest Politick Stratagem of the Bp. to come by his Money again, the Bond or Lease not being given in Lieu of the Preferments, but in Consideration of Money lent afterwards to *Medley*, to enable him to hold them with Credit to himself, and ease of Mind; in being free'd from those other Obligations upon the Account of his large Expences, in coming into them. Nay further, since your Author is for runing of Parallels, and that the strength of his Exceptions lies in the Parity betwixt *Pool's* Case and *Medley's* I might gratify him so far, as to take it that way, without any Prejudice to the Bp. for was not *Pool's* a real honest justifiable Debt, was there any thing of Simony in giving a Bond for 6 l. in Consideration of his having his Instruments for that time, without Money? And why then, in the same time and place, (because your Author will have it so) might not *Medley* in Consideration of another just tho' larger Debt, grant a Lease of his Living and Prebends, in Security for the Payment of it. Were your Author thus allow'd to take his own way, he would fall Ridiculously short of what he aims at, (the over-throwing the Proof, which the Bp. made of this Lease) and shorter still of fastning the Crime of Simony upon the Bp. all that he offers no more amounting to the fixing of that foul Guilt upon his Lordship, than it proves Horse-stealing or Burglary. In short 'tis nothing but gross Sophistry and downright Lying, or to give him a word that he loves and makes use very much of, what is meant by it. Presumption in the vilest Sense that one Man can be guilty of towards another.

L. Presumptions in a Legal Sense, indeed if they be groundless are very offensive, but that which renders these Presumptions of his, the stronger and weightier is this, that the Bp. who might, has not remov'd them, by producing and Examining *Mr. Rowlands*.

M. The Bp. might have done it 'tis true, but as I said before, what need was there of it, was not the Evidence already offer'd and recorded sufficient, full to the purpose and Legal, that any equitable Court would have allowed of and why then must a Gentleman be hurri- about 50 Miles backward and forward, to come in with a Deposition *ex abundanti*, altogether superfluous. Had the Bp. been obliged to refute, by the Corporal Oaths of Men, all the Jealousy, Objections, and Presumptions which *Lucy* the Promoter, his other Accuser the trickish Advocates, and his Judges were pleased to stait against him, he might have spent his whole Estate (tho' larger then 'tis) amongst them. Could any thing have been fish'd out of *Mr. Rowlands*, to the Bps. dis- advantage

Part 3. advantage or discredit, 'twas very well known by the Promoter and others where he lived; they might have sent for him, and made their best of him, but he could depose nothing to his Lordships Prejudice, and for his Lordships Defence he was not so much wanted as to be at the Charge of sending down Commissioners, or bearing his Charges up to Town. I commend the Bp. for standing upon the Privileges of an Englishman, and for insisting on the Legality of his Proofs in this Case, what your Author offers is no proof at all, nothing by his own Confession, but wild and bold supposals.

L. But there is something behind still which is very observable, *That not only for the Year 1688, but the two following years, the Bp. did actually receive the profits of Clyddy, which is part of the premises in the Indenture, and 'tis probable the profits of Blethvaugh, another part of the Demise, went the same way, or else how could Medley have been so bare of Money as Meyrick Swears he was?*

p. 31.

M. Your Authors Probabilities will not pass with me, nor can they with tolerable Modesty be offer'd as Evidence. Whatever the Bp. receiv'd was upon a just account, as has already been demonstrated, either to return it to Mr. Rowlands, or to keep it himself, in case he had discharged the Debt due to that Gentleman. As for *Medley's* not being so very flush of Money the first or second Year after his being Preferr'd, that has already been accounted for, and may be easily believ'd by any one that knows the Charge that accompanies Church preferments, and the slow payments that are made in Country Livings.

L. You won't yield an inch, I find.

M. Yes, I have made several Concessions, and notwithstanding you make out nothing against his Lordship, you have done what you could to puzzle *Me*; now let me examine *You* a little. What have you to say to the remaining Sums? If you have no Exceptions against them they must stand good.

p. 40.

L. *The other Items*, Some of them are almost as well and clearly proved as this of Mr. *Medley's* Debt, but most of them are only proved to be due, because Mr. *Medley* said so, and 'tis no wonder he own'd them to be true Accounts being *Particeps Crimi-*
nis.

M. By your Ironical way of delivering the first part of your Answer, and the exceptions you make to *Medley* in the close, you seem to doubt whether any of the remaining particulars were legally proved.

L. I do so: And have my Authors Authority for that suspicion.

M. Who

M. Who thereby, in effect, impowers you to look upon the Arch-Bishop and his Assessors, as K—s, or Fools. Part 3.

L. How so?

M. Because even they allowed of the First Fruits, Tenths and Synodals, which amount to 138 *l.* 1 *s.* 2 *d.* and consequently according to the liberty your Author grants of judging, they, either for want of Understanding, could not discern what was right and just, or else admitted of that as Proof, which contrary to their Judgment, was not so.

L. I can't but wonder at this mistake of his.

M. What need you be surpriz'd? 'Tis not the first by many that has been detected in this Libel. But to go on; *The other Items, most of them, he says, appear due, only because Medley own'd they were so.* What say you to Mr. *Ch. Pryse's* Deposition as to the receipt of the 100 *l.* here specify'd? What to *Henry Pome's* acknowledgment upon Oath of the 124 *l.* What to Mrs. *Medley's* owning in her Deposition, the remittances of 10 *l.* and 122 *l.* at her Son's request, and by the Bps. Assistance. Bps. 25.
Wim.

L. All these persons, are either nearly Related, or ally'd to *Medley* and to save him from ruine, might strain a point.

M. Do not unjustly disturb the Ashes of the dead Mr. *Pryse*, or defame the living, whose Reputations all of them are and were so clear and unexceptionable, that Mr. *Promoter* in the height of all his Malice and Fury, durst not attempt to detract from their Credit or Veracity. As for the relation they stand in to *Medley*, that is so far for incapacitating them to bear Witness in this Cause, that according to all the Laws Ecclesiastical and Civil, they cannot otherwise than be accepted; nay, since the Court insisted upon Proof, who so proper to prove these Disbursements by the Bp. upon *Medley's* account, as the very Parties that receiv'd the respective Sums.

L. I can't understand why that same old Woman, *Medley's* Mother should be maintain'd out of the profits of the Church of St. *David's*?

M. No? What think you of the Fifth Commandment, shall we understand it according to the Glosses made upon it by the *Scribes* and *Pharisees* of old, or admit of our Saviours Interpretation and Exposition? Those old Hypocrites had got away it seems of excusing themselves from Filial Duty, and to confirm their Title to the being least in the Kingdom taught others also so to do; but which is the most Christian like, for a well prefer'd Clergy-man, to maintain his Mother decently out of the Surplusage of his Revenue, or to

Job

Part 3. fob her off with a hard Word, to tell her 'tis all Corban, all sanctified Money; and that she must seek for support elsewhere.

L. But what if these Kindred of *Medley's* did thus share with him, there are Items many still behind, in which we can have no satisfaction. His saying that they were real Debts, looks so like shamming the Court, and covering the Simony, that it will never pass. *The Bp. alledged that he had been at great charge in the maintaining Medley in the University*, but I won't believe one word of it.

In 1681.

M. I can't help that, but the Bond of 40*l.* does prove it self, to any one who is not resolutely blinded with Partiality and Prejudice, for how could either the Uncle or the Nephew have a Simonaical design upon the Treasurership of *Brecon*, or the Arch-Deaconry of *St. David's*, when his Lordship was not promoted to that See till Six Years after. Had the account begun with an *Imprimis* 40*l.* lent to Mr. *Medley*, to pay Monsieur *Le Trip*, and Monsieur *Foubert* for teaching him to Dance, and Ride the Great Horse. *Item*, 18*l.* given him to Spend upon the Wits and Beaux of *Covent-Garden* upon his entrance into that ingenious Society. *Item*, 5*l.* for a pair of Wings to equip him for a Journey to the Moon, according to the highly probable Hypothesis of the Right Reverend Doctor *Wilkins* late Lord Bishop of *Chester*. *Item*, 1*l.* 5*s.* paid to the *Morocco* Embassadors Secretary, for secret services (upon Mr. *Medley's* Account) in the Court of *Barbary*. *Item*, paid to *Locket* and *Pontac* 6*l.* for Ordinaries and Extraordinaries, during Mr. *Medley's* days of *Bacchaism*. *Item*, 7*l.* for a Scarlet Coat, when he first pretended to make a figure in the great Town. *Item*, return'd to Monsieur de *Fashoons Relât* in *Paris* 6*l.* odd Money, for acquainting the said Mr. *Medley* with all the new Cuts and Modes for four Years successively. Then indeed his Lordships charge would both at first and second sight have look'd very suspicious, but since 'tis notorious, and *Medley* himself confesses, that his Uncle contributed largely towards his Subsistence in the University, and that it appears by his Letters of Orders, that the one was had at *Bugden*, the other at *Peirborough*, since it is legible in the College Register as well as that of the University, that he Commenced Master of Arts, in 1685, and that it is no such unusual thing for a *Cambridge* Scholar, to Dyet sometimes in the Country adjacent, one especially that had not an Estate to maintain him in the College continually, since withall it is very common for Students there, as well as else where, to run into their Taylors Debt, and that a Gown and Cassock, which sort of things are not commonly made here in *Wales*, were the proper habit for Mr. *Medley* after he was prefer'd in the Diocess; Adding withall this consideration, That *Medley's* chief

cheif dependance from the time he was admitted in the University Part 3.
 to his promotion here, was mostly upon the Bp. Where I pray is the seeming Impossibility, or the Scandalous marks of suspicion that these Accounts are fictitious? Had *Medley*, as I hinted to you before, refused to reimburse the Bp. and his Lordship had thereupon sued him in a Court of Equity, I do not see how he could have avoided Payment or Imprisonment, and yet by a Law hitherto unheard off, he must be punish'd for his Justice, and his Uncle depriv'd for his Charity and Benevolence. As to the 59*l.* 3*s.* 4*d.* paid to him by the Bp. at several times, that he owned and acknowledged a Twelve-Month before either he or the Bp. was taxed with any Simonaical pravity, and those who think him to have so little regard to his interest, as to take upon him a Debt he never contracted, or so little honesty as to vouch a Lye, for the skreening either his Uncle or himself from Justice, are strangers both to his Humour and Principles. Those that personally knew him, having deposed as to the nicety and tenderness of his Conscience; and tho' he be liberal enough, when Piety or Charity so require, yet he who shou'd have no other Subsistence but what *Medley* extravagantly, foolishly, or wickedly throws away, must live upon a thinner Dyet than ever yet supported a *Camellion*. But prepossession, unless people have got the Art of laying aside their prejudices, is apt to have a strong and lasting Bias upon our judgments, and to incline even wise Men sometimes to take things by the wrong handle, those who env'y'd *Medley*, and sought the ruine of the Bp. took an early care to stain the Understandings of some great Men, with an Opinion of their Simonaical Guilt, and therefore 'tis no wonder that every transaction of theirs was construed in that sense; but let this whole Scheme of their dealings be thus fairly open'd, and that practice tried and search'd to the Bottom, and nothing will appear but a laudable kindness on the Bps. side, Filial Obedience, Brotherly Love, Justice and Honesty on *Medley's*.

L. 'Tis pity thou had'st not been his Lordship Advocate at the Tryal.

M. At the next prehaps I may, and no more doubt my Ability to clear him from all Imputation of Simony, then I should fear to justify either thee or my self, whose Souls do abhor whatever borders upon it.

L. What will you say then, to the last Instance he is charged with, the Leasing of *Burrough-Green*, to Mr. *Brooks*, a Fact or rather a Complication of wickedness so Foul, that all the Power of Rhetorick supported by the strongest affection, can never wipe away the Stain or represent him Innocent. There was so much Knavery, Oppression,

Part 3. Sordid Covetousness, and Simony in it, that this alone with all these provoking Aggravations, was enough to bring him under a severe Visitation and deprivation afterward.

M. This *Billingsgate* Remonstrance would have been more seasonable, had you kept it to your self, till you had prov'd the Bp. Guilty of those horrid Crimes. But since you have unwarily given your Tongue the liberty to Blaspheme your Diocesan; all that I can do is, first to convince you of your Error, and then do you as your Conscience shall direct, seek forgiveness. You are, my Friend, not only mistaken as to the Nature of that Fact, but also in the inference you draw from it, for whereas you conclude (if I understand you) that this suppos'd piece of wickedness might be the procuring, provoking cause of that sad Visitation which we saw in the Dioceſs 1694. you must give me leave to inform you, that neither then (nor for some time after) was there the least talk of this Simonaical Bargain, but that *Lucy* (by the help of such Tools as he made use of) did get hold of this Story, and that by such Scandalous ways and means, that there are no slender grounds for suspecting Rage and Revenge, to have prompted some to Swear in this Case, as well as Malice and Envy qualified the Promoter in an Eminent manner to accept of such helps-meet for him.

L. Let me bring on my Proofs and then, do you make what discoveries and Objections you can. Otherwise we may Harangue one against another till Midnight, and may be never the nearer to the End of the Controversy.

M. I am not the least affraid, of any one you can produce, and therefore on with them as soon as you please.

Promot. 4⁶ Witnesses. *L.* First then *John Williams the Elder Swears*, that about December, 1692. the Bp. and Mr. Brooks came to an Agreement in his presence, that Mr. Brooks should have a Grant or Lease, of the Rectory of Burrough-Green, and the Profits arising thereout, determinable with the Bps. Last he paying the Bp. 200 Guineas for it. That pursuant to this Agreement a Draught of a Lease, was made by the Bps. Directions and brought to him, that the Bp. alter'd several things therein, particularly part of what was therein, mention'd for the Consideration, for the Bp. would not allow the 200 Guineas to be mention'd as the Consideration, but inserted that which appears in the Draught Exhibited by the Promoter.

M. All the Fault that I can find as yet, is only this, that the Bp. was too cautelous. Since there is no reason, why he might not as Lawfully Lease a Rectory he held in *Commendam*, as you or I may set and Let our Tythes. Do not all the Bps. in *England* and *Wales* or most of them, Lease out the Tythes of several Parishes vested in their Bishopricks?

Bishopricks? Do not Deans, Chapters and Prebendarys do the same Part 3.
daily? And why must his Lordships hands be tyed?

L. T'would have been well for him, if they had been tyed, as to this Instance, for mark, *After that the Bp. had receiv'd the greatest part of the 200 Guineas, and had put Brooks to 30 l. Charges in going down to Burrough-Green.*

M. Does *Williams* Swear that positively?

L. So my Author says.

M. With his usual Veracity, for if you look to *Williams's* Testimony his words runthus, *That he had been Inform'd, that after the Bp. had put Brooks to the Expence of 30 l. in going down &c.* Now where is your Authors Integrity, to relate that as matter of plain Evidence, which according to the very Deposition was only Hear-say, and that unquestionably false, for how could so much be expended in so short a Journey, by two Persons neither of them being addicted to Luxury or Extravagance. Surely they must have Eat, and Drank at an Excessive rate, before the value of such a large Sum could have been consum'd by them. All the Bp. saw (more than is common) was some Bottle's of Wine and some Papers of Fruit, the whole Charge besides (Coach-hire excepted) being 3 l. 7 s. and how this can be reputed 30 l. or be believed to amount to so much, no Man of common Sense or Charity can imagine. I have been acquainted with another Hear-say, that if receiv'd may clear this difficulty, tho' it leaves something of a Scandal upon this old Evidence of yours, and that is, that *Williams* had 30 l. of *Brooks* for obtaining the Lease of *Burrough*, what he had for Swearing against the Bp. afterward I can't tell, but *John*'tis very well known loves to be rewarded for his Labour.

Promoters
43 Witn.
ad. art. 12

L. You ought not to stir out such Suspicious words against any Man, unless you have good Grounds for so doing.

M. Why, may not my hear-say pass as well as his, perhaps I have better Authority for it, than he can produce to strengthen his Report.

L. Ay but you implicitly charge him with being Suborn'd or Hir'd to Swear.

M. He that will be Hired to do a thing, which he believes to be ill, may be prevail'd with to do another, which he knows to be so, and that *Williams* (tho' thro' a mistake) look'd upon this business, of the Lease &c. to be so, is I think pretty plain from hence, in that *Charles Pryse* Deposes, that in several Discourses with Mrs. *Brooks's*, Dr. *Cox* and this *Williams*, it was propos'd by them, and insist'd upon, that the Bp. should commiserate Mrs. *Brooks* loss, in an ample manner (after the Death of her Husband) or else there were others that would give a good Reward, if she would deliver to them the Note,

which

Part 3. which the Bp. gave to Brooks. Nay Mrs. Brooks her self Confesseth *Fauconberg* Solicited, and others promised they would give her a good Reward, if she would deliver them the Note, concerning his Lordships promise to resign the Rectory of *Burrough*, to Brooks when he desir'd it. Now *William's* having been the chief Promoter of these agreements, which you are pleas'd to Brand with very hard Names, And as they say, having gain'd considerably by Manageing them; Why may it not be suppos'd, that when Money or at least the Promise of it was so fluent on the other side, *John*, who was so brisk a Stickler against the Bp. might have a feeling in the Case, for tho' he does not as I have observ'd Swear up to what your Author relates, concerning his Evidence, yet you see he omits nothing, even flying Reports (for which he did not think fit to produce his Authors) in order to blacken the Bp. and make things look as ill as possible, on his Lordships side.

L. Every Witness ought to speak the Truth.

M. But more than that he need not, and since Hear-say is no Evidence, he might with a safe Conscience have let Idle uncertain Reports alone, unless Spleen against the Bp. or the other motive had prevail'd over him. Every body knows he is no Fool, let him be what he will besides.

L. Which way the 30 *l.* went I do not much care, 'tis the 200 Guineas I insist upon, which I adjudg'd to be (as receiv'd by the Bp.) downright Simony, and can call it no less than Knavery in him too after the Pocketing of so large a Sum to refuse to, *Sign the Lease, unless it was made Determinable upon Brooks's Life, which Condition Brook's despairing of Relief, was glad to accept of the Bps. giving him the Note, by the Promoter Exhibited, which is wholly Wrote by the Bp. himself.*

M. As to the Simony in this Agreement, you must inform my understanding something more fully, before I shall be able to discern it. But if *Williams* swore all this that you relate, I have still greater reason to insist upon my Exceptions against him. For how could *Brook's* Despair of relief if the Bp. had *Covenanted* with him to make the Lease hold during his Life, and afterwards receded from it? Are not the Courts of Judicature open to every Complainant that is unjustly aggriev'd; and what was the Bp. that Law could not have its course against him? Had he been one of the Minion Favourites of the late Reign, he might have shelter'd himself in his Privilege or under the Umbrage of the Court, but it is very well known that the late Government was far from shewing him any Extraordinary Indulgence or Protection; how easy a thing it might have been, to have the Law open against him and to have compelled him in a short time to confirm a Covenant assented to before Witnesses, and for which he had

receiv'd Consideration, any one may guess, who knew the Current of Part 3 the times, and the usual Forms and Proceedings. Nay had there been any thing of a Simonaical Pravity in this Contract, how much more easy would it have been, to have Terrified his Lordship into a compliance. Had an attempt been made, and *Brook's* had fail'd of prevailing, for Remedy, then indeed he might have begun to *Despair*, and not till then. But an Irresistable fit of Despondency seiz'd him. *John Williams* the Elder, a nice infallible discerners of Spirits read the very inmost Sentiments of his Soul, immediately Swears, he *despair'd downright* at first dash; had not the confidence to appeal to Justice, or to take that advantage against the Bp. which the discovery of this private League and Covenant (which is now call'd Simonaical) aforesaid and so lost for want of seeking it, the been Benefit of the first Contract. He that will believe all this will believe any thing. And he that has a faculty of Swearing at this rate, may Swear any thing.

L. Thou dost run a perfect *Indian Muck* at all the Witnesses I produce against the Bp.

M. If I have done any hurt to *John Williams*, 'tis with his own Weapon.

L. Prethe tell me what it is that thou wilt believe in this transaction?

M. Every thing that fairly can be proved either by Witnesses or Reason.

L. Dost thou believe there was a Lease between *Brooks* and the Bp?

M. Yes.

L. And that it was to continue during *Brooks's* Life.

M. Yea verily.

L. And that the very first agreement was to that purpose?

M. Certainly so.

L. Your Reasons for being of that Opinion.

M. I have but one, and 'tis this. The living of *Burrough* is certainly reckon'd worth Sixscore Pounds a Year; 'tis very well known that the Bp. was a healthy Man, likely to live many Years. You say he loves Money more than he ought to do. I say if he had any prudent regard to his own interest or Advantage, he cannot be supposed to be so weak as to have accepted of a Fine so much below the value of the thing. Prove that ever he made in his whole Life so silly a Bargain, and take the Cause just as you will have it.

L. Thou hast almost puzzl'd me, for if I must speak my owa thoughts, he is in *Terence's* Words *Paulo Adrem attentior*, nor have I heard of any one as yet that over-reacht him.

M. The

Part 3. *M.* The wiser Man he, and never the more culpable, for being discreet and frugal in Managing his Rights and Revenues to the best; that as he sees occasion he may be more liberal and munificent in good works.

L. I never heard that he was guilty of any of those.

M. I thought you had seen some of them, however, What think you of the Palace at *Abergwilly*? in what a tatter'd dilapidated Condition was it when he came to it. The Roof ready to fall, the Walls in many places parted asunder, the Ceiling of the Rooms rotted down by the Weather, the Floors and Stair-cases decay'd and scarce one Chamber where a Man could sleep safe from the Injuries of Wind and Weather. And how has he both Substantially repair'd and decently (so far as 'twas capable) adorned it; so that since the Reformation, it has not been in better Order.

L. That was for his own Convenience.

M. You might have added and for the good of his Successors too, and the Credit of the Diocess. But what Covetous Man, *Paulo ad rem attentior*, as you phrase it, *qui humana & cuncta ubi emolumenti aliquid auferré potuit contempsit*. According to your Authors scurrulous way of insulting his Reputation, would have open'd his Purse and laid out 600 l. at least which he might have saved as his Predecessors had done before him.

L. That's all the Good you can say of him.

M. No, stay a little, and I'll fetch thee such a Catalogue of his Benefactions as will make thee admire his Generosity—here read it, and learn to think of him as You ought to think.

<i>L.</i> In Building of his Parsonage House at Burrough,	l.	s.	d.
in Planting, Repairing and beautifying the Church—	500	00	00
Towards the Building of St. Pauls—	050	00	00
Towards the Building of Trinity College Library, Cambridge	020	00	00
Towards the Building at Cath. Hall, Cambridge—	010	00	00
Towards the building at Magdalen College, Cambridge—	020	00	00
Towards the repairing Langadock Church Com. Car-	} 010	00	00
marthen—			
To St. John's College, Cambridge, in two Ad-	} 600	00	00
vowsons—			
To the Printing Press at Cambridge—	050	00	00
To Poor Scholars—	050	00	00
To two Widows, at several times—	060	00	00
Towards the Building St. Mary's Steeple in Hull—	050	00	00
Towards erecting a Workhouse there—	050	00	00
To Trinity House in Hull, in Order to further Charity—	600	00	00

In all — 2070 00 00

M. Take

M. Take in withall the 600 *l.* laid out at *Abergwilly*, and Part 3. 600 *l.* he gave to Mr. *Medley's* two Sisters, in part of their Portions; and a Sum larger than that to several persons in distress, and then tell me, if he who has already parted with so much of this Worlds Goods, can be supposed to be so fordidly wicked, as to endeavour to scrape up small sums by Oppression and Simony, by Injustice and Sacrilege.

L. But how came you by this List, is it Authentick and True?

M. It was exhibited to the Delinquents *November*, 99. to wipe off some of the Dirt, cast on the Bp. for Covetousness, and would have been fully prov'd, but the Deligates hear present would not let it. I'll give thee a Copy of it; Shew it to his most spitefull Adversaries, and if they can discover the least Forgery or falsehood in any particular, let them charge me as the vilest Impostor.

L. This was hard, but if after all this a righteous Man do turn from his righteousness, and addict himself to knavish and unjust practices, this his former Piety, will neither consecrate nor excuse his subsequent Oppressions. I have something a better Opinion of him than I had, but 'tis a scurvy case we have before us, and to speak with all the Moderation and Charity I can. I'm afraid he'll be found guilty, for do but look into this Lease of *Brooks's*, and you must needs confess, that *Simon Magus*, or the Devil in his likeness had a hand in't. I won't trouble you with a recital of the whole but consider these following clauses, and defend him if you can.

M. Begin.

L. This Indenture dated day of December.

M. What day of December was it?

L. That is not put down.

M. How so? Is it usual to Draw, Sign and Seal Indentures that have no date to them? Surely the Bp. would never put his hand to a Blank which might have been fill'd up afterwards much to his disadvantage.

L. To tell you the plain truth, the Lease it self was not exhibited in Court, but the draught of it, mention'd in *Williams's Deposition*.

M. Very fine indeed, when the Bp. offer'd to prove a Lease from Mr. *Medley* to Mr. *Rowland* you were pleased to cavil (tho' it was attested by two Substantial Witnesses) because the Counterpart was not Exhibited along with it, and here by way of proving an unjust Lease (as you call it) upon the Bp. you produce neither the one part nor the

Part 3: the other, but bring in *John Williams's* like the Picture of Dr. Barefoot Oxon with a Scroll in his Hand, which no body own's, neither Subscribed, nor attested, nor dated, and which might have Twenty Interpolations and Alterations in it, that the Bp. might know nothing of. Shall this pass do you think, or ought it to have been accepted when the other was rejected.

L. Valeat. quantum valere potest.

M. 'Tis of no validity at all, for it obliges no body, and therefore can affect no body? 'Tis meer wast Paper and Labour lost, to talk any more about it.

L. That there was a Lease you have own'd.

M. And every Clause of that Lease I will defend. Does *Williams* Swear, that the Indenture executed betwixt the Bp. and *Brooks*, was *verbatim* the very same, with this pretended Draught.

L. My Author does not assure me of that, but the contrary rather appears from *Williams's* Testimony, in that he Swears that the Bp. refused to sign the Lease unless it was determinable upon *Brooks's* Life, whereas this runs for 31 years if the Bp. should of long Live.

M. And might there not be several other Substantial Alterations in the real Lease, as well as this. I do not see how either in Equity or Modesty, you can insist upon your empty insignificant Paper, 'tis void 'tis nothing, I shou'd say in Law.

p. l. 124.8.

L. What is Simoniackal init we will Substantially prove, by a Note afterward, subscribed by the Bishop and attested by *Williams*, and a Name-sake of his. Favour me only so far, as to admit of what shall appear probable or what is confirmed by Collateral Proof.

M. The latter part of your Proposal, I must comply with, but probabilities are far from being Evidence, however rather than the Bp. shall seem to lie under any harsh Suspicions, every thing you offer shall have its Intrinsick worth and weight with me.

L. Then thus I go on. *This Indenture, &c. between the R. R. Thomas Lord Bp. of St. David's of the one part, and William Brooks of the other part, Witnesseth, That the said Lord Bp. for Providing, Supplying and Discharging, of the Cure and Ministerial Duty and Office, of and belonging to the Rectory and Parish, and Parish Church of Burrough-Green. Does not this look like selling of Spiritual things for Money.*

M. Just, or as much as the ordinary Provisions, made in the Church Leases, by Deacons, Prebends &c. the Lessee being by those strictly bound

bound to take care, that Parochial Duties be Lawfully and Faithfully Part-³⁰
discharged, and that the Curate be sufficiently and justly Paid.

L. But mark what follows, *And in Consideration of the Opinion and Esteem, the said Bp. hath of, and for the said William's and his Qualifications for the said Office, &c.* As I understand his Ability to serve the Cure himself. *And what then? Brooks either was, or at least there was just ground to believe him to be a Priest, he having Preach'd at St. Anns, wore the Badge of a Nobleman's Chaplain, or were he neither Priest or Deacon the Bp. did not hereby confer any Power or Authority Ministerial upon him. If Brooks design'd to officiate himself in Order to that, you know a Licence was first to be obtained from the Bp. of Ely in whose Diocese Burrough lay. And to that Prelate it belonged to be satisfied in his Qualifications. If Brooks intended to hold it as a Lay-Fee, then by this Proviso he was bound to pay another Duty qualified for the supply of the Cure.*

L. But does it not look ill that the Bp. should in Consideration of Money paid down, lodge the Cure Ministerial in Brooks? *I thought I had already answer'd that, 'twas my Lord of Ely, not my Lord St. David's, that I could admit Brooks to the Cure of Souls. They were the Profits of the Rectory, that his Lordship as Lessee Demised; and that at so easy a rate, that there was enough to pay the Curate whoever he should happen to be. Could Brooks in Person have discharged the Offices requisite, I know no reason why he might not have the advantage of the Salary as well as another, unless you will be so unkind as to suppose, that a Clergyman does least of all deserve in favour from a Father of the Church. Had your Father or mine taken the Church Lease, to him, his Executors, and Assigns, and had this Lease been assigned to either of us by way of Portion, would it have been Simony even in that very Bp. to have admitted the Party (so possessed of the Lease) to serve the Cure? Would it not rather have brought him under a stricter Obligation to be the more faithful and careful in discharge of his Duty? doth not our Law provide that every Person may Demise the Living, upon which he shall not be most ordinarily Resident to his Curate only, and where then is the Maliginity, the Simonaical Pravity of this Condition, when nothing was meant or design'd by it, but that the Cure should be served as the Bp. of the Diocese should approve?*

L. But by your Leave, the Bp. did Demise, Grant, Set and to farm Let to the said Brooks his said Rectory (mind that) with all the House, Glebe Lands and Appurtenances, and all manner of Tyths of Corn, and all Profits whatsoever belonging to the same, and to hold to the said Brooks, his Executors, &c.

Part 3. Where then was the Provision for a Curate, when all was granted to the Lessee?

M. I wonder you should argue so weakly, have not the Laws both Ecclesiastical and Civil made this Limitation to, and Provision in, all such Bargains, Contracts, or Leases whatsoever, that there shall be a sufficient allowance to him that shall serve the Cure? These are prior to all Leases; and of perpetual force, and therefore all Leases must be understood with these Restrictions and Limitations unless you will suppose, that two or three persons for their own convenience or profit can reverse an Act of Parliament, or Null a Canon of the Church. 'Twas offer'd in Proof at the Bps. Tryal, that Sir Francis Pemberton made the Draught of this Lease, and none but a Fool, or one that is very ungrateful to the Memory of that Celebrated Lawyer, and faithful Friend of the Church, will suppose that he would draw up an Indenture, contrary to the Laws of the Land, or that had the Colour of Simony in any one Article or Branch of it.

L. That is *gratis dictum*, 'Tis altogether an uncertainty to me, who was the Conveyancer; be it who it will, there's Simony undoubtedly in the Close, if not in the Body of the Lease. The Bp. expressly farms his Rectory, and since that word implies the Office, as well as the Profits annex to the Discharge of it, the Demising that to another is unlawful and Abominable.

pag. 42.
l. 12.

M. Whatever the word Rectory may Signify, in the common way of Talk, yet that it cannot be so understood here as you would have it, is plain from hence, that the Bp. was both in Law and in Fact, still Rector of *Burrough* in as much as a yearly Rent was to be paid him by the Lessee, in acknowledgment of that Title: All that *Brooks* by this Covenant could pretend to, being only the profits of the place, which as a further explanation of that Term, are particularly and immediately enumerated in the following words, *viz.* All the Houses, Glebe-lands, Tythes, &c. What need had there been of those provisos, wherein *Brooks* is bound to supply the Cure, or to have others to do it, or to pay a reserv'd Rent in case the Bp. (which was in this Case Impracticable and Impossible) had invested him with that power entirely, which was Originally and Solely in his Lordship before this Covenant. The Lawyers would Laugh at any man that should make this an exception, since the express Tenure of the Lease manifestly affixes another interpretation, and evidently refers to the profits and emoluments of the place, which (as it has been demonstrated, and can be justified both by Law and Precedents) may be demised If that be Simony *Pe E-*
piscopis

piscopis, *va Ecclesia Anglicana.* Go on to something that is material. Part 3.

L. Brooks Covenants to Inhabit and reside there, and not only to serve and Officiate, and do all manner of Ministerial Offices and Duties in his own Person, but if want of health or necessary Occasion so require to procure a Lawful Priest.

M. That has been consider'd and answer'd already where's the Knavery, the Oppression, or even the hardship of this Covenant?

L. Since you put me in mind of it, there is one Particular, that I have pass'd over which looks very odd and unreasonable, *The said Brooks obliges himself to provide for, and Entertain the Bp. his Servants, Friends and followers, with Horse-meat, Mans-meat, and all Accommodations, whenever, and as long, as he shall please to Live and remain in the said Parsonage-house.*—Was it not enough for his Lordship to receive so considerable a Fine, but he must reserve himself a Liberty to come with a Troop of Attendants (for as long a time as he pleas'd) to consume and Eat up the Profits of the Place?

M. Would'st thou have had his Lordship, when his Occasions lead him down into that Country to Lodge in an Ale-house or to take up in some Cottage with a Country Farmer? His own House was the fittest place for him to be Entertain'd in, and since he was resolv'd to retain that Privilege of making it his Home when at *Burrough*, why did *Brooks* accept of the Condition, or enter into Covenant with him, if he apprehended any considerable Damage from such a Concession? But prethee what Mischief, Damage, or Wast did the Bp. do there, during the time that *Brooks* held the Tyths. Does *Mrs. Brook's* make any Complains upon that Account, or exclaim against the Ravage made there by the Bp. and his Servants?

L. No not a Word.

M. Why then we may conclude, that either the Bp. did not make use of this Privilege at all, or else that he did it so moderately, that even a frugal House-keeper, and one who afterwards proved a spiteful Adversary, could not upbraid him with, spunging upon the Family or Eating too much of their Bread.—What remains of this so much talk'd of Indenture?

L. That which has been the Bps. Ruin, and will fill thee with Confusion when thou hearst it, for thus as a finishing stroke (so it prov'd to him) *The Bp. covenants that he will not Surrender the said Rectory unto the Patron or Ordinary unless at the request of the said Brooks.* Monstrum Horrendum!

M. What's the matter with thee? My House I hope is not haunted, dost thou see any thing Extraordinary?

L. See, say'st thou, *quis talia fando temperet*

Part 3

M. Do you always talk Latin, when you are Angry?

L. I am at a loss how to express my Abhorrence of this filthy, Scandalous, Simonaical Transaction.

M. Settle your Stomach a little (my Service to you) and compose your thoughts that we may Argue the matter fairly, without Passion or Precipitation.

L. Do not forfeit thy own Reputation so far, as to pretend to patronize so foul a Fact.

M. Why what was done?

L. Too much in all Conscience, hereby a Contract was made, that the Bp. in Consideration of the 200 Guineas (partly upon that Consideration at least) should resign the Rectory, when *Brook's* should have made an Interest to come into it.

M. We have already agreed, or should you run from that Concession, yet no body can deny that the 200 Guineas were a very moderate Fine, for the Lease of so large a Rectory, especially if it be consider'd, that *Brook's* had the Profits of 93. 94 as he certainly had. By reason of which advantage, at the close of the first year of his Lease, he would almost be re-imburfed, and then had the Contingency of Enjoying it many years, upon a very slender Consideration. For the Living being Sixscore Pounds, besides Surplice-Fees, and other Perquisites, he could not then be above 20 *l.* or 30 *l.* out of Pocket, so that the Demise of the great Tythes, Glebe House, &c. might well be esteem'd to deserve the Consideration aforementioned. And would not Reason and Charity, incline a man, to believe that this Branch of the Covenant, might be added, either to satisfy a Man of *Brook's* timorous diffident temper (who as *Williams* Swears was very apt to Despair) might not this I say, be supposed to have been done as a further Assurance to *Brooks*, that the Bp. would not voluntarily vacate the Lease by a Resignation? Or ought it not to be conceiv'd a Gratuitous Favour from his Lordship, it being no such uncommon thing, for a Landlord to grant a Tenant some conveniencies or advantages, in a Lease which he is no way oblig'd to, in Consideration of the Fine that is raised by the Lessee.

L. Thus much I'll yeild, that you have said, so far as I can judge, all that is said in the matter in his Lordships behalf, the last Clause might perhaps have been apprehended as the effect of *Brooks's* timidity or his importunity, but then there's a Note you know wrote by the Bp. himself and given to *Brooks* which runs thus, *Whereas I have in a Lease to Mr. William Brook's dated March, the 6th. 1691. Promised not to resign or Surrender my Right and Title in and to the Rectory of Burrough, unless at the request of the said William Brook's, I do hereby Promise, whenever the said*

William

William Brooks shall resign all my Right and Title in and to, Part of the said Rectory, Witness my hand and Seal, March the 7th. 1892.

Sealed and Delivered in the

presence of

Thos. St. David.

John Williams, Senior.

John Williams, Junior.

Now this Note thus undubitably attested, and which his Lordship himself could not deny to be his own hand writing, Act and Deed, fully explains the close of the Lease in a Simonical Sense, that no body can excuse; but all the World as well as his Grace of Canterbury must condemn him for it. pag. 42.

M. I won't muster up all the Objections that I could raise against that Determination of yours, but shall only ask you one easy question and then I'll come to a close Argument as to the merits of the Cause. Do humane Courts punish Men according to their Intention or according to their Actions?

L. I expected that Query all along.

M. And how do you Answer it? I except Cases of High Treason, and then shall be glad to hear of another Instance, wherein the thoughts of men's hearts, their Resolutions, or their unlawful Promises, are equally Punish'd as if the Party or Parties, had proceeded to, or attempted a Performance.

L. Then you own the unlawfulness of this Contract.

M. Don't take me up before I'm down, I mean no such thing, but am at this time, putting a Case in the general, to which I desire a particular and full Solution.

L. Why then I say, that unlawful Intentions are punishable, by humane Laws. If two Persons intend to Fight a Duel, they may both be secured, confin'd and punish'd for their intentional Murder.

M. But not as Murderers either of them for which of those supposed Combatants, would you hang, or by what Law, that they may be bound over to the Peace, during Life, or undergo some pecuniary Mulct, I'll venture to own, but that Judge who should Hang either of them, would deserve to be Hang'd himself. So in this Case.

L. Don't run the Parallel too far.

M. You shall find me very Modest, suppose I say, that the Bp. had unadvisedly, unwarily Engaged, to be subservient to Brooks, in helping him to the Rectory of Burrough, by resigning it at Brooks's request yet since such a Resignation was not made, nor consequently Brooks Prefer'd to Burrough, where, or by whom was the Simony committed?

Part 3. ted, or why should this Cause his Lordship to be punish'd for a Fact that never was done?

L. 'Tis conventional Simony, however the agreeing and intending to do a Simoniack Act.

M. And is the bare Agreement as Penal *in Foro humano*, as the actual Performance. Your Author calls this an Act of Simony. Now in what Town or Conuty was this Simony acted?

L. *Brooks* dyed before he could accomplish his wicked design, and has (unless he repented) accounted for it before Gods awful Tribunal, as the Bp. must do, unless he repent and that very particularly.

M. What his Lordship has been guilty of, I doubt not but he has both retracted and will be truly sorry for't but answer me, is even conventional Simony according to your own explanation liable to the same penalty, with that which is actual?

L. No, there are some Mitigations and Allowances of Mercy.

M. Why then was the Bp. punish'd with all possible Rigour, as if he had been the vilest Simoniack in the World?

L. I look upon him as no less in the sight of God, and am pleas'd to find that thy integrity is so stanch, that thy Affection to the Bp. cannot make thee warp from the Truth.

M. But pray, dear Sir, don't you under the plausible cover of a hugh piece of Complaisance, wrest my words beyond my meaning. I do not own this Transaction of the Bp. to be Simony either Conventional or Real: I am only arguing with you Hypothetically as yet, that suppose it were so the Bps. Punishment was too severe, but that it is so I Categorically and positively deny.

L. Your Reasons pray, Sir.

M. First because it does not appear that the Bp. receiv'd a Sum of Money from *Brooks* or any other in Consideration of this promise, for certainly had the Bp. stood upon the a *dequate* and full value of the Right, Title and Profits thus for a time, demised and Totally to be parted with by the Resignation, the Sum advanced was manifestly too short, three years Purchase being the lowest rate, that it could have been valued at, whereas the Money receiv'd amounted not to two years Purchase, and therefore the Promise of Resignation was an Absolute favour and free act of kindness.

L. If the rest be like that, you may spare your Labour.

M. Let me go on however to try what I can do, I desire no favour, but that every thing may be allowed its proper weight. 2dly. the Bps. Resignation of this place (had he actually done it) could not any way have influenced the Patron to confer it on *Brooks* in as much as his Lordship had not Interest in the Patron.

L. But

L. But without that Resignation, *Brooks* could never have had it. **Part 3.**

M. I always thought (and I'm sure my Tutor taught me so, or else Cheated me of my Money) that, *Causa sine qua non est Causa*. Whatever the Bp. could the (as the Case stood) have with him, and Patron would have been purely accidental, in as much as the Donor would thereby have been at his full Liberty, to give it to whom he would, and the Presentee had it been *Brooks*, might safely have Sworn that he had made no Simonaical payment, Contract or Promise, directly or indirectly, to any Person or Persons whatsoever, for, or concerning the procuring or obtaining of the Preferment. (That supposing the Patron to have been honest) being freely conferr'd on him, for how could the Bps. Resignation tend towards the procuring or obtaining of a Free gift, wherein the Bp. had no hand, nor room to make Application on *Brooks's* behalf?

L. You rest much upon that, but how justly and truly I know not.

M. Why then I'll inform you, the Family who presented his Lordship first to *Burrough*, were so displeased at his holding it in *Commend* *dam*, that tho' he requested it several times, they would never consent that a Friend of his, should Succeed him.

L. Have you done?

M. No, since the Note whereby the Bp. promis'd to resign at *Brooks's* request, was an Instrument sepearte from the Lease, and no Consideration mentioned in the Note, or any Money given for it, how you can make a free Concession, to be a pecuniary Bargain, is beyond my understanding.

L. No, Sir, it was no free Concession but pursuant to, and in Confirmation of the former Covenant.

M. By what part or Article in that Covenant was the Bp. obliged to give this Note?

L. They desired him to do it the day after.

M. Could they have compelled him to it had he refused.

L. I believe not.

M. Then it was no part of the Lease, and therefore the Consideration Money paid for that Lease, had no influence over him in this particular, and therefore it plainly, and undeniably follows, that it was an act of Favour.

L. You are not gone so clearly off with it yet, as you imagine, for mind what *John Williams* Swears, towards the latter end of his Deposition, that *Brooks* was glad to accept of the Conditions propos'd, and insisted on by the Bp. giving him a Note, &c.

M. Not at the time when the Lease was Executed, for that as appears by the Note, was on the 6th. whereas the Note it self was dated on the 7th. of *March* following. answer me one thing, and then we

Part 3. we shall come to a Conclusion upon this Head presently, was the Bp. adjudg'd guilty of the Simony upon account of the Lease or the Note.

L. Both?

M. That could not be, for the Lease was never produced, never shewn in Court, and Consequently the Terms or Conditions of it never Judicially discovered; and therefore *Mediante justitia* could not come under the Cognizance of those that sat upon this Tryal for tho' in the way of Argument I have admitted of the rude draught, yet 'tis a trifle, nothing in Law, could no ways give Foundation for the Sentence against his Lordship, had the blackest things been contained in it, It being none of his Act or Deed. And how then could the Note it self, which had no unlawful Condition specified, nor referred to any thing offer'd in Proof, which could affect the Bp. or incline as righteous Tribunal to pass so harsh a Sentence as the Bp. has smarted under, If there be not something behind very Criminal. I'd not believe so hardly of the Metropolitan, as to suppose he ground- ed his Sentence upon this particular, till there be further Proof than what has been Exhibited, tho' I hate Simony as much as I dread Dam- nation, yet I can't think the Bp. guilty of it in this Instance.

L. I know not what to make on't, but my Author who is a consi- derable *Civilian* tells you that by this Note the Bp. advanced as far as he could to turn this conventional into a real Simony, but here he had not the Right of Patronage, as in those Livings and Preferments he gave his Nephew, Medley.

M. He knows that it was not conventional Simony, he owns that it was not Real, and therefore it must be fictitious and ima- ginary, or nothing at all. Let his profession be what it will, his way of writing is so very unfaithfull and weak, that it seems to me according to that of our Friend *Hudibras*.

As if Hypocrisy and Nonsense

Had got the Advowson of his Conscience.

L. You will have your Jest right or wrong. I shall not lay much more under this head concerning the Simonaical pravity (as some would have it to be) of this piece of management, but must be so just to my Author and to the Cause I have in hand, as to lay before you some particulars which represent the Bp. as a very ill Man, if not a Simonaick. For Dr. Cox gives us to un- derstand in his Deposition, the cause why the Bp. would have the Lease determinable upon *Brook's Life*, for *The Bp. told him*
after

after his Lordships return'd from Burrough Green, that he feared he should not have brought Brooks home alive. Part 3.

M. That the Bp. told Dr. Cox, of his tender concern for Brooks when indispos'd upon the Road, I allow, but that he inform'd the Deponent, that the ill fit that seiz'd Brooks in the Journey, was the cause or occasion of that alteration in the Lease, I deny, neither did the Dr. depose to that effect, the *causal particle For*, being foisted in by your own Dr. to give a colour to that calumny which he would fasten on the Bp. From Cox's Evidence, whereas the deposition affords no Umbrage or Ground for it. I would take a little more pains yet with the Dr. but that I fear he is Incorrigible.

L. But might not the Bps. privity to the Sickness of Brooks occasion this Alteration?

M. Brooks after he came to Town was well and hearty; had he found any sensible decay in himself, his intellectuals would have been weaker than his bodily Constitution, had he entred into such a Contract. But what need I thus go about to account for the Tenure of the Lease when I have already demonstrated that in all human probability it was likely to prove an Advantagious bargain to Brooks and that the Bp. had not according to the common Method of Covenanting, what he might have insisted on.

L. But what say you to the Evidence of Mr. Brooks?

M. Tell me first, what she says.

T. Why then she Swears, that her Husband, told her a Noble Lord, had spoken to the Bp. to give him the Rectory of Burrough, and that he had promised that Lord he should have it.

M. How can that be true when the Living was not in the Bps. Disposal?

L. Let her tell her story however She further adds, that her Husband often waited on the Bp. about it, who told him there must be Money in the Case.

M. Yes, in Case he had a Lease of Burrough, which was all the Bp. could grant, unless you would have him give Brooks the Profits for nothing which his Lordship had no occasion or reason to do.

L. After this the Bp. came to this Deponents Lodgings and told her of a Treaty between him and her Husband, about the Rectory of Burrough.

M. Which was afterwards ratified by Covenant.

L. And this Deponent saying to the Bp. she was not willing her Husband should lay out his Money, on a Parsonage, the Money being to be raised out of her Fortune, and that her Husband was but a sickly Man, the Bp. told her that it would be as good as a Purchase and Provision for her, not only for her Husbands Life, but her's likewise, and that he was as likely to Live, as the Deponent, tho' her Husband was not.

H

M. This

Part 3.

M. This Woman her self confesses that she was promis'd a Reward for swearing against the Bp.— and 'tis but requisite she should do something for her Wages, such an Exception (not to insist upon her Swearing (in effect) in her own Cause) would set aside any Witness in any Civil Court, and why it should not, in an Ecclesiastical, I cannot conceive. Would the Bp. have amply consider'd her pretended Loss upon the Expiration of the Lease, then as Mr. *Charles Prife* Deposes, this Gentlewoman would not have said one word in this matter, but his Lordship scorning to purchase her favour (tho' he promised to be kind to her, if she would wholly refer her self to his Mercy and Charity) *Lucy's Factor* (by her own Confession) strikes in with her, promises a considerable Reward, if she would be a Witness against the Bp. and that being as she vainly thought a greater certainty, she appears on that side, gives her Deposition or rather sells it, which therefore is not worth a Farthing.

L. But when she speaks what is true you must believe her for Truths sake.

M. But that this discourse betwixt the Bp. and her, was so I cannot believe, nor ought she to have been heard.

L. Well, will you believe what follows?

M. Let me hear it first.

L. She further Deposes, *That the Agreement betwixt the Bp. and her Husband, was for 200 Guineas, that after 200 l. was paid, this Deponent her self paid the other 20 l. to the Bp. when the Writings were sealed.*

93. *M.* The other 20 l. the remainder was 15 l. Guineas going then only for one and Twenty and six pence, so that she either paid 5 l. more than was due, which one that thought the 200 Guineas too much would not be too ready to do, or else she grossly Errs in this part of her Evidence, and thereby blasts the whole Deposition. In a word 'tis all idle Tattle and mistake, stuff fit enough for thy Dr. to deal in, but nothing to the purpose, of no weight, the guilt of the Deponent only excepted.

L. You might have more Commiseration for a Widow, complaining in the bitterness of her Soul.

M. But not over much favour, for one that Swears in that Humour, God comfort her I say, for the loss of her Spouse, and give her Grace to repent of this rash Oath of hers. Have we done with her?

L. No, The Deponent telling, *The Bp. that she thought it a hard Bargain, he answer'd, say no more of that, I have a Letter now in my Pocket, wherein I am profer'd 300 l. for it.*

M. I

M. I have already told you, that I thought the Lease was worth Part 3. it, and therefore 'tis probable the Bp. might have such a Proposal made to him, but he would not be worse than his word, tho' to his own hindrance.

L. Farther she Swears, That her Husband told her, the Bp. would not have the Money mention'd, for the Consideration, for fear of Simony.

M. Her Husband I am afraid often told her what was not true, and that which makes this the more incredible whoever told it, is this, that the Fine was so just and reasonable, that it could not possibly come under that Denomination.

L. My Author thinks otherwise, for I am sure says he, the taking this Money can be no less than Simony, for the Bp. confessed to Dr. Cox, that he received it for the Living of *Burrough*.

M. Which I am sure *Brooks* never had, nor could the Bp. confer pag. 45. it upon him, and therefore according to thy Authors own words, it was not real Simony, but what cares he for runing into Contradictions, backwards and forwards; 'tis an Act of Simony, 'tis Conventional p. 43. l. 20. not real, now again 'tis real Simony, because the Money was given p. 40. l. 31. for the Living of *Burrough*, tho' it was not the Living, but a Lease that *Brooks* had in Consideration of that Sum. Thy Drs. common talk may be fine and consistent, but his Elaborate performances (if we may judge by this) are nauseously nonsensical and incoherent. I thought I should have Eaten my Supper heartily. but I'm afraid he has turn'd my Stomach. Lay by the fulsome Morfel that I may forget it if I can, before the Meat comes in.

L. Let me finish this head first, there is not much behind.

M. Off with it as fast as you can.

L. Mrs. *Brooks* likewise Swears to the Note—

M. I value not if 40 more did the same, Let's go and have a little innocent Chat with my Wife or some of the Children if the least of my Boys talk as fillily as this Dr. does, I'll make him an Example to all the rattle pated Coxcombs in the Country.

L. Only hear one remark of the Authors upon what has been said, and then dispose of me as you please. Upon the payment of the Money, Mrs. *Brooks* told the Bp. 'twas a hard Bargain, and so it afterwards proved, for her Husband dyed *Michaelmas* 1694. The Bp. ought in Justice, to have Commiserated her Condition.

M. In Charity you mean, what he has done I know not, but it has been observ'd of him, that he has a particular faculty of being kind to his Enemies, and upon that principle chiefly Mrs. *Brooks* hopes of Benevolence must depend, because during Mr. *Brooks's* life (short as it was) neither of them were losers by the bargain. The product of 93 was all their own (the Curates Sallary except-

Part 3. ed) which could not be much less than 100 *l.* And the whole profit of 94 must also come into their Hands, that together with 50 *l.* they owed his Lordship for Houshold goods, &c. (which never was nor will be paid) raises the Sum total to above 240 *l.* and if that were not a good return for 200 Guineas, let the World judge.

L. I have nothing more to say in this Case.

M. And what you can say in the others will be still more frivolous— But come, lets go and unbend for a while, and then for the Remainder.

End of the third Part.

P A R T IV.

Crimen Falsi.

IF a Bp. in his Ecclesiastical capacity, can commit a greater Crime than Extortion or Simony it self, that which I come now to consider, is undoubtedly such.

M. Whatever it is you are mighty hot upon't. I thought we should have breath'd quietly a while, and settled our Suppers. But come since you are so very sharp, sit, and declare at once what the Crime is, without any more spitefull circumlocution.

L. Why then in one Word, I mean the *Crimen Falsi* of which the Bp. was accused.

M. And of which thy Author in this very Book stands Convict (were a man to count them) 20 times at least. The World's come to a sad pass, when the most notorious Lyars take the liberty openly to accuse others of Falsehood, and that falsely too.

L. You are so very quick upon me that you wont suffer me to explain my self, or to inform you, that by *Crimen Falsi* I do not mean Common Lying, or ordinary Methods of Falsifying, but the certifying under Hand and Seal, things that really were not. *Ibid.*

M. There's the difference then; we have not your Authors Seal, but if the writing things, with a Man's own hand *dolo malo*, with a design to deceive some, and wrong others, and if the sending such an elaborate Imposture to the Press (which I think is a firmer ratification than squeezing a little Wax) if these may be allowed to be tantamount to Signing and Sealing, then Mr. Dr. is Scandalously infamous False even in your own sense of the Word.

L. I will not be beat out of my road, tho' thou dost as much as possible to tempt me to a digression. Let what will become of the Dr. the Bp. was *Falsarius*, in the most Pernicious and Stupendous instance, for nothing could be acted by him of more fatal consequence both to Church and State. *pag. 46.*

M. Than what?

Part 4. *L. Certifying under his hand and Episcopal Seal in Letters of Orders that the Oaths in such Occasions required were given when really they were not.*

M. I say they were, and I'll prove it too; but hark you, Sir, suppose the Bp. had omitted the Swearing of Priests or Deacons at Ordinations (for you do not pretend that ever he fail'd to Administer them on other Occasions) how would the Consequence of this, have been so stupendiously pernicious, that if his Lordship had studied, and labour'd the ruin of Church and State, the Vilest wicked efforts he could have made, would not have proved more Fatal to the Truth, as it is in Jesus or the peace and quiet of the Kingdom. Had he (as it once was the fashion of some) encouraged Socinianism or neglected to Punish open Blasphemy against the Blessed Trinity, had he shewn his Clergy a way how they might subscribe to the Articles of the Church, and yet not be obliged to believe or maintain the Doctrine, had he proclaim'd us to be a Conquer'd Nation, or strove with all his Interest and Authority to help Whiggs and Common-wealths-men into the House of Commons, such Omissions, such attempts as these would have seem'd levell'd against the Church and State, and might have been (with that Authors good leave) of much more Fatal consequence than what you accuse him off. For what if he had ordain'd without Administring the Oaths, all that were Graduates in the University had certainly taken them before, and thereby were bound up to Fidelity and Allegiance notwithstanding this negligence of the Bps. or if some few that were taught at Home, and who could aim at nothing above a small Country Cure, had been Authorized to Preach or do other Ministerial Offices, could these less than half bred Divines those very moderately learned and (for the most part) necessitous Levites have attempted any thing considerable to the Subversion of Church or State. 'Twould have been ill in the Bp. upon several accounts, both in relation to himself and them, to have neglected the taking the common Security in this Case required by Law, but surely the Justices of the Peace, and the Dignitaries and Ancient Clergy of the Diocess, would have been sufficient to have managed or oppos'd this young Fry, if they had pretended to be either Factious or Heterodox. So that were this Charge against the Bp. true (as 'tis not) yet it does not admit of those heinous Aggravations nor could the thing it self have been attended with these fatal consequences, wherewith your Dr. does endeavour to amuse and exasperate the Reader.

L. You'll exasperate some great Men if you talk at this rate in Publick. But come we'll take the thing as it is in it self, as it plainly lies before us, and then after proof made, we'll discourse more of the

the Nature and Malignity of the Crime, which as I think, is prov'd Part 4: against him in the most ample manner, for the Promoter's Proctor did exhibit the Letters of Orders of *Edward Williams* July 20. and *James Harris*, who were both ordain'd Deacons by the Bp. on the 24th. of Sept. 1693. which Letters of Orders were subscribed and Sealed by the Bp. and own'd by his Proctor, to have been his Act and Deed. pag. 46.

M. And what then?

L. Then the Letters of Orders of *Edward Williams* (for I'll make sure work as I go) run thus — *Nos Thomas.* —

M. Is there any false Latin in them?

L. No.

M. Then we know the usual Form.

L. But at least let me observe to you, that there is this Clause in them. *Præstitis prius per eum (scil. E. Williams) Subscriptionibus & Juramentis in hac parte necessarijs & requisitis.* *James Harris's* Letters are of the same Tenor, excepting, that the words about the Oaths in his are *Præstitis Subscriptionibus & Juramentis in hac parte necessarijs* and that they bear date the same day he was ordained.

M. There's no harm in all that I hope?

L. I shall only insist upon the Evidence as to the Crime, we have now under Consideration, first then *Edward Williams* Swears, That at the time when he was Ordain'd Deacon by the Bp. 15 Persons more were Ordain'd, and that an Oath written upon a Scrip of Paper was Administered in the Office of Ordination, to the Deponent and the rest, which he believes was it Laen of the Oath mention'd in the Form of Ordination, then in Force. pag. 48.

M. A very weighty Allegation, suppose the Bps. Common-Prayer-Book, was not of the latest Impression, since the Oath of Supremacy was alter'd, where was the harm of Transcribing the new Oath out of the Statute, and exhibiting it to one of the Candidates to read Audibly that the rest might Swear along with him.

L. But if it had been the very Oath prescribed by the Act, why as soon as it was done, was it Snatched away by some Attendants of the Bishop's. pag. 48.

M. Did any body desire to have it, or to have a Copy of it, if they had my Life for't, it would have been at their Service. But what would you or your Author have had the Bps. Attendant to have done with this Scrip, would you have had him give it a toss, and said, here take it among you, or would you have had him dropt it under their Feet, to be trampled, dirted, or spit upon? did he Snatch it from any body that had a mind to hold it? Or deny any one a review of it afterwards?

L. We

Part 4. L. We only mean that it was taken away.

M. And so it would have been, had it been Printed, but what was there in this Oath, that was contrary to, or short of that Oath required by Law? For there the point lies.

L. The Deponent can't recollect what the words contain'd in that Scrip were, but is sure neither King *William* nor Queen *Mary*, were mentioned therein-- What do you laugh at?

M. At thy Authors ridiculous Ignorance, he a Dr. of Law and not understand the Laws of his own National Church. Here's the Oath in King *Charles* the Seconds time, and the Oath in King *Williams* Reign, and see if thou can't find *Charles*, *William* or *Mary*, either in the old or new Oath of Supremacy.

L. Let me see the Books, I A B, do utterly testify and declare in my Conscience that the Kings Highness, &c. so help me God and the Contents of this Book. Humph, but the Oath was alter'd upon the Revolution in these words, I A. B. Do Swear, that I do from my Heart Abhor, Detest, and abjure as Impious and Heretical, that Damnable Doctrine and position that Princes Excommunicated or Deprive by the Pope, or any Authority of the See of Rome, may be Depos'd or Murther'd by their Subjects, or any other whatsoever; and I declare that no Foreign Prince, Person Prelate, State or Potentate, hath or ought to have, any Jurisdiction, Power, Superiority, Prebeminence, or Authority Ecclesiastical or Spiritual, within this Realm. So help me God. Thus *Williams* Swore very true.

M. Yes in the close, but mind how Spightfully perjurious he is in the other parts of his Deposition. He believes the Oath Administred was in Lieu of the Oath mention'd in the Form of the Ordination, i. e. he believes it was not the same, tho' he cannot Recollect what the Words were, nor the Tenor of it, it seems, but then as a Reason of this belief that it was not the Oath required by Law. He's positive in it, that King *William* and Queen *Mary* were not mention'd therein, whereas your own Eyes convince you, that unless the Bp. would have varied from the Form prescribed in the Act of Parliament, they ought not in that Oath to be named— why so down in the mouth Friend? Why so Cogitabund?

L. I would carry this *Williams* decently off, if I could, but he's so egregiously dull, that I must leave him at your Mercy.

M. He's beneath my Resentment; perhaps, *en passant*, I may give him a gentle touch anon.

L. Now for *James Harris*, you remember I suppose, that something more than ordinary depends upon his Evidence in case it be true, because

cause the Bp. used him so very ill, upon the account that he had Sworn against his Lordship. Part 4.

M. You may remember too, that he very plainly forswore himself, in that Deposition, and you will find he has done the same in this.

L. Hear him before you Judge: he Swears, *That he was Ordain'd Sept. 24. 1693. that about 14. more were Ordain'd at the same time, that instead of the Oath of Fidelity or Supremacy, mentioned in the Office of Ordination.* pag. 48.

M. The Oath of Fidelity or Supremacy, I thought those had been different Oaths, and am sure that the Oath of Supremacy only is mentioned in the Office of Ordination. This Witness pretends to Swear not only the Bp. out of his Diocess, but all Mankind out of their Senses.

L. You must not take the advantage of a small mistake in a Country Curate, he meant the Oath of Supremacy, because he further tells you 'tis mention'd in the Office of Ordination.

M. Take it that way then, see what you can make of him, *Williams* who was Ordain'd at the same time Swears, *that an Oath was Administred.*

L. So does *Harris* too, viz. *That instead of the Oath mention'd in the Ordination, an Oath written on Scraps of Paper, in which neither King William nor Queen Mary were named, was administred to the Deponent and the rest then ordained.* But then whereas *Williams* owned he could not Recollect what the words contain'd in the Script were, *Harris* Deposeth further, that he well knows, the difference between the Abrogated and the new Oath, and that the new Oaths mention *K. William* and *Q. Mary* by name, and that he the Respondent did not take the Oaths enjoin'd by Act of Parliament, when he was Ordained by the Bp.

M. The other Dunces Swore at all Adventures, but this I believe has been instructed how to word his Deposition so, as that he might prejudice the Bp. and yet save his Ears, for mark how Equivocally his Words run. He knows the difference betwixt the old and new Oaths, and that the new Oaths mention King *William*, so they do in *Sensu composito*, but not in *Sensu diviso*, for as you are already satisfied, in the Oath of Supremacy they are not mentioned, tho' they are in that of Allegiance. But what had the Bp. to do to administer the Oath of Allegiance in his Chapel? or what does this Witness or thy Author mean by this additional piece of Evidence? would either of them infer from hence, that the Oath required in the Office of Ordination was not administered? then this is no reason but a downright mistake or a wilful Lye rather, in that *Harris* pretends to know the difference, and yet what he assigns, as an Instance or Exemplification of this difference does not hold good, King *William* and Queen *Mary* not
I
being

Part 4. being mentioned in the Form required by Law. Thus his Deposition is a flat Perjury in *foro humano*; But if he means that the Oaths in the plural number (both of them) were not administered to him when Ordain'd, *i. e.* on the day in the Office of Ordination, this is nothing to the purpose, but only to put a false Glois upon the former Deposition, which since it was done with a design to deceive some, and wrong the Bp. is in *foro Divino*, down right Perjury, and can admit of no other Construction; only remark this along with me, that this Witness seems to be afraid of those that can crop his Ears, but not of him who for the Violation of the Third Commandment can and will cast Body and Soul into Hell, unless he retract and repent of this his fallacious malicious Testimony. And might not the Bp. very justly deny such a fore-sworn Wretch a License to serve a Cure, who rather ought to have undergone a severe Penance, for his notorious Offence against God, against the Truth and against his Diocesan. How could the Bp. have expressed himself with greater tenderness to such a Sinner, than to acquaint him, that he feared he had forsworn himself, was it not good Council to advise him, to Recollect and a very proper Question to ask him whether he had done so or no? And when he persisted in his Perjury the calling such an *Irreclamable* Sinner against the *Majesty* of Heaven, impudent Fellow, was what all the World must upon a true stating of the Case adjudge to be a true and just Character; for 'tis manifest that if this latter Deposition was design'd to be a Confirmation and Explanation of the former, 'tis a downright Lye; or if you take it by it self that the Bp. did not *when he ordain'd him*, administer the *Oaths*, 'tis either a malicious wilfull fallacy, which before God is equally Perjurious: or *2ly.* such a gross mistake, that if the Commissioners and Notary (who receiv'd this Deposition) knew not the Impertinence and Weakness of it, yet a Man can't wonder enough that the Judges who sate upon the Tryal should admit of it as a Proof in this Particular. I rather think out of deference to them, that both these Depositions were laid aside as impertient and insignificant, and that 'tis the Malice and Ignorance of your Author that is to be taxed and corrected, for thus producing what is nothing to the purpose, and what was reputed of no weight by the most Reverend Metropolitan.

L. He exhibits them as Proof.

M. Why then lay the blame where you will, nothing as yet is apparent, but the Perjury of these two Witnesses, and so let them go.

L. But if the Bp. could have proved he had given the Oaths necessary and required at this Ordination. He might have produced some of the remaining 12 Persons who were then Ordain'd.

M. What

M. What need was there of his purging himself, when nothing Part 4. was proved against him? No Man could have fear'd any thing more from these two Witnesses, than from a couple of Ballad-singers; and if their pretended Testimony met with greater favour, and respect 'tis unaccountable in my Judgment, and without making those reflections that are obvious I defy any Man to give weight to these Depositions as they thus stand in your foolish Libel.

L. But by your leave, Sir, the last words of *Harris's* Deposition may be taken in another Sense, than what you affix upon them and may, *Refer to the time Preceding the day of Ordination, as well as that very precise day and then his Evidence holds good against the Bp. that the Oath of Allegiance was not Administred to him at all.*

M. You will gain nothing by that Evasion, for *Dr. Francis Thompson* has expressly Deposed, that he had been present at several Ordinations, particularly that of the 24th. of September, 1693. and he observed the Bp. always Administred the Oath of Allegiance and Supremacy to such Persons as he Ordain'd when the said Deponent was present. Wherefore since he was present at the Ordination Sept. 23^d. 1693. and as he further Deposes, the Oath of Allegiance and Supremacy were always Administred to such Persons as were Ordain'd, when he was present, it from thence follows that these Persons had the said Oaths Administred to them unless you will give more Credit to the Oath, and understanding of a Country Curate, that never saw either University, than to a Dr. of Divinity, which I think would be very hard.

L. Hold let me see, if I mistake not, my Author has a particular reflection upon this Dr. of yours, and since you introduce him here, for once contrary to the Method laid down I'll anticipate. I have it. The Bp. has out of about 20 Witnesses brought one to speak to this Article 'tis one *Dr. Francis Thompson*, whose deposition I shall leave with the Reader, as a finishing stroke, deserving his particular consideration. The Dr. Swore, &c. *uti prius*, &c. that he observed the Bp. always administred the Oaths of Allegiance and Supremacy to his present Majesty *K. William*, to such persons as he ordain'd when this Deponent was present. pag. 53.

M. Take your Authors advice consider it and after mature deliberation tell me what you think on't.

L. —As a finishing stroke— for the Dr. Swears he was present in 93—to such persons as were ordain'd when he was present.

M. Do not puzzle your self to find out any Mystical meaning, 'tis only a true word spoken in Jest.

Part 4. *L.* There is something more in it— Now I have hit upon it, not without owing the discovery to your self. You say the Oath of Allegiance is not to be administred on the Ordination day.

M. I say so still, for tho' the exhibiting of Testimonials Titles; the undergoing of Examination and Supercriptions be prerequisites to Ordinations, yet all these are to be transacted the week before, there being nothing more required from the Bp. upon the Sunday, than what is specifed in the Rubirck and Office of Ordination.

L. Well then, and has not the Dr. Sworn at large as well as *Harris*? In that he deposes the Oaths were always Administred to such persons, as were ordain'd when he was present.

M. Why no, he does not Swear, that they were administred both at the same time, the one might be given the *Saturday* before (as it was in this case) the other on the *Sunday*, but if both were Administred my Doctor's Evidence holds good, and your Doctor is a Fool for squinting a rude impertinent, unintelligible, reflection against him.

L. Betwixt them be it, let us return to where we left of. The Bp. undertook to prove the Administring of the Oaths and laid it in the 21 Article.

M. And the promoter undertook to prove that he had not, but fail'd in his Proof, and then 'twas needless for the Bishop to multiply proof when there was no occasion. He was sorry to see those who had addicted themselves to the Sacred Office of the Ministry, take up the Trade of Swearing to the Perjudice of their own Souls and the Scandal of all good and wise Men in the Diocess, but he did not at all dread the effects of their Perjury, till he found that more Credit was given to them, than he could in reason or in Law expect. *Williams* you disown your self (because you can do no otherwise) him I say you disown and discard as a Villain upon Record. All that was pretended to be proved in this Case, was by *Harris*, and is he not manifestly under the same Condemnation. Or if I should give you the Liberty of wresting his Words to a Sense that his Depositions will not bear in fair Construction, tho' he be supposed to Swear that the Oath of Allegiance was not Administred to him, yet is he not confronted and confuted by the Testimony of Dr. *Thompson*. To which I can add the Evidence also of *Pyemont*, who Deposeth that having been present at the Ordination 1693. he saw the Oaths of Supremacy and Allegiance administred to the Persons that were then Ordain'd. That wherein the strength of your Objection consists is this, that the Bp. did not produce some of the other twelve, 'Twas as it happens an Oversight in him not to have done it; but should our gracious Queen, grant

grant or the House of Lords allow a Rehearing of the Cause, the Bp. Part 4 shall be reputed to stand convict to all Intents and Purposes of all the pretended Crimes alledged against him, in Case he do not by uncontestable Evidence make out the Administration of both the Oaths to the persons ordain'd in the *September* aforementioned. For *Jenkin Williams* of the Parish of *Llanred* Clerk hath declared before *David Lloyd* and *John Pryse*, two very good Gentlemen, that on the 24th. of *September* 1693, he, together with *Edward Williams*, *James Harris* and others were Ordain'd in the Cappel of *St. John Baptists* in *Abergwilly*, by *Thomas* Lord Bishop of *St. David's*, at which time and during the Office of Ordination the Oath of Supremacy, which is enjoyned by the first of *William* and *Mary*, was Administred to and taken by him and the rest that were Ordained Deacons and Presbyters, and also that on the foregoing *Saturday* being the 23d. of *September* aforesaid, the Oath of Allegiance to King *William* and Queen *Mary*, was tendred to, and taken by him and the rest, in the Hall of the Palace of *Abergwilly* in the presence of the Bp. in these words, I *Jenkin Williams* do sincerely promise and declare, that I will be faithful, and bear true Allegiance to their Majesties, King *William* and Queen *Mary*, &c. which said Declaration, he is ready to ratify and confirm by his corporal Oath, before any Court of Judicature. Nay *David Philips* A. M. who was then ordained Presbyter, has declared, and is also ready to Swear the very same thing, so that it was the Bps. too great confidence in his own Innocence, and the Understanding of others, not want of proper Witnesses that occasion'd this seeming want of Proof, the not bringing in some of the twelve, to depose against these two false Brethren.

L. Why were they not then produc'd before the Bishop, or at least before the Delegates. How many Hearings would you have?

M. Only another, and I think there is just reason for it.

L. Should those in Authority think so too, yet the Bp. would be little the better, for tho' you may be able to set *Williams's* and *Harris's* Evidence aside.

M. I think that is done sufficiently already.

L. But then here is an after-clap, which would shatter all your hopes, and the Bp's. pretensions to pieces, for in 1691, *Robert Owen* was Ordain'd Deacon, the Oathes certify'd to be taken by him, and were not Administred. pag. 49.

M. I should rather have expected this before, as it was before in point of time, if it was at all.

L. Mr.

Part 4. L. Mr. Promoter did not hear of it till afterwards, and so was allow'd to bring in an additional Article upon the same.

M. Which was an extraordinary favour, but make the most on't, who are your Witnesses.

L. Edmund Meyrick and Tom Powel.

M. Were they never sworn before, as to their knowledge of this pretended Crime in the Bp.

Promoters L. Yes both of them, *Meyrick* and *Powel*, and both in effect Swear
31. Witm. the same thing.

Promoters M. They had agreed so to do beforehand, but come let us se-
32. Witm. parate them as *Daniel* did the Witnesses in *Susanna's* Case, and perhaps notwithstanding the Conspiracy betwixt them, we shall find something that may invalidate their Evidence.

L. Since you are resolv'd it shall be so, you shall have their de-
as the 31. positions separate, first then *Meyrick* Deposes, That he was present
Witnesses. at an Ordination in the Bps. Chapel, and observ'd that the Oath appointed
pag. 50. in the form of Ordination was omitted.

M. The Devil certainly owed that Man a shame, and has paid him it home, in tempting him to be an Evidence. For as I observ'd at first, when he Swears he certainly Lyes, and ruins his own Credit instead of defaming the Bp. What Oaths are appointed in the Form of Ordination? Or how many? Is there any more than One, as 'tis plain from the Rubrick? And yet in contradiction to the very express letter of a standing Law, he deposes, that the Oaths appointed to be then taken, were omitted. Away with him, he stinks above ground; the Clergy of the Diocess ought to indict him as a publick Scandal. He an old Man, and an old Evidence to falter and falsify thus? What might he not swear against a person, when he thus swears in Oppolition to the very Act of Parliament?

L. You are not to take the Advantage of a *Lapsus lingua*.

M. I scorn it in common discourse and I could wish that when persons appear to give Evidence in any of our Courts of Judicature, they were assisted by the Council, in delivering of the Truth, rather than banter'd out of it, as many times they are, by cross Examinations and ensnaring Questions, put to them by pert and nimble Lawyers. How often a good Cause is lost, thro' a verbal mistake dropt by an Evidence, and which under that consternation his Error puts him into, he cannot amend: those know best that frequent Assizes, &c. I have heard too much of it. But for an old Man as *Meyrick* is, sly and wary even to a proverb at other times, for him when upon Oath, where he had the liberty to be as deliberate as he pleased, where there was no body to run upon

upon him (the Commission being private, and none but he and the Actuary together) nay when he had the liberty (as 'tis usual in those Cases) to peruse his Deposition after it was finish'd, that so he might correct or revoke whatever had been either mistaken by the Actuary in Writing down, or by himself in giving the Evidence; for him to let such a notorious Noon-day falsehood, pass uncorrected, looks directly like a Judgment upon him, as if God had suffer'd the Devil to confound his Understanding and Memory, that he should both Believe and Swear a Lye.

L. Thou hast no Mercy upon him, that's certain.

M. Yes, I have a great deal of Charity for him, I heartily wish that he may see and consider his Wickedness in some time, that he may make an open Recantation, and do publick Penance, if so be the wickedness of his heart may be forgiven him.

L. Will you let me go on.

M. Not that I intend to give one word of Credit, to what comes from him.

L. Tho' he says that he remembers very well, by a particular token, that at the time the Oath of Supremacy was usually taken, Mr. Powel attending the Ordination, brought the Book of Ordination and Oath therein, to the Bp. in order to be taken by the Persons ordain'd, but the Bp. told Powel there was no need of it and so no Oath was Administred.

M. I understand him, neither the Oath of Allegiance nor Supremacy. pag. 50.

L. In another place.—

M. Hold, do not go on to his second Deposition given sometime after, till we have seen how far Powel Swears in Confort with him.

L. Why then Powel Deposes, that he was present at but one Ordination of the Bps.

M. Mind that?

L. Which was in the Reign of King William, and the late Queen, that at the time in the Office appointed to take the Oaths from the Ordain'd.

M. Like to like, both of them Swore they knew not what.

L. He the Deponent acting, as Secretary, design'd to hold the Book to receive the Oaths by Law appointed, and in Order thereto moved towards them out of his Seat but the Bp. beckon'd to the Deponent to withdraw, and spoke some thing to forbid it. And the said Oaths—

M. Which are required (in the Plural Number) by no Law at the time of Ordination.

L. Were not taken tho' the Instruments were drawn as full as usual. You were a while agoe against having People banter'd and quibbled out of the Truth. Do not you attempt what you Condemn in others?

M. No,

Promoters
32 Wilm.

Part 4. *M.* No Sir, had I a mind to stand upon Niceties I might object, that 'tis something strange, and very improbable that *Meyrick* should hear so distinctly what the Bp. said to *Powel* (reciting the very Words) and yet that *Powel* who was young or younger than he should neither hear nor remember what was said to him. Again, there is this Discrepancy that *Powel* Deposes he was hindred by the Bp. at the time in the Office appointed to take the Oaths, whereas *Meyrick* Swears that it was only at the time when the Oath of Supremacy was to have been given. But that which in a word overthrows the Evidence and Reputation of both is this, that I have so often mention'd, that where as both of them affirm, that the Oaths were then to be Administred (when *Edmund* would have had the Oath of Allegiance he must acquaint us in the next Voluminous Edition) the Law neither says nor requires any such thing. So that the very Letter of the Rubrick, all that helpt to make the late Act of Parliament, for the Alteration of the Oaths ; all that have eyes to see, may be brought in as Witnesses against them. A very Ancient High Priest, tho' a very wicked one in other respects, would not (as much as he desir'd our Saviours Death) accept of the Testimony of those, who could not agree in their Evidence. And let no man think, that ever his Grace of *Canterbury*, would Condemn the Bp. upon the so much discordant Depositions of these two. I do not know what to call them bad enough.

L. No, Sir, the stress of the proof does not lie in what is recited as yet, but in what follows.

M. Yes I'll warrant in what they bethought themselves of, some time after when they were inform'd they had not come up to the point, *Quid est contumelia si hac non est contumelia?*

L. A Welch-man you know is allow'd to mend his Bill.

M. But what man by any Court to amend his Oath, after that he has once been deposed to speak the Truth, the whole Truth, and nothing but the Truth. Should a Witness recollect himself whilst the Court is sitting, before they adjourn or he withdraws, some allowance might be made. But when a Man has had full time to consider with himself, has taken the Oath, has review'd his Deposition, signed and deliver'd it as the sum and substance of what he knows in that affair, then to come in again and Swear that he very well remembers by a particular token, what before he forgot, does not this look as if something had been given him to strengthen his Memory? Would any Court allow of it? Or is it ever practised?

L. 'Tis a common thing to bring in fresh Evidence.

M. But

M. But not the same Persons to enlarge upon the same point to Part 4. which they have formerly been Deposed, for those then are Perjur'd by their own Confession, and have not Sworn the whole Truth, according to their knowledge at the first time, so Reason tells me, and as the Law is founded upon Reason, I'm sure I am in the right on't.

L. Will you hear the 2d. part?

M. Yes, because I doubt not but to make further Discoveries of their Villanies.

L. *Meyrick* then as the 60th. Witness positively and particularly Deposes that he was present at the Ordination in 1691. that none of the Persons then Ordain'd, did take the Oaths appointed to be taken in the Office of Ordination; or those to the present Government, during the time of Divine Service.

M. Is this mending his Bill, 'tis rather making it worse, for still he is positive in a Lye, and particularly so: Upon second Thoughts and with greater Assurance swearing the same fallity over again.

L. Enough of that, mind what follows, And that the Letters of Orders of Robert Owen (then shewn to the Deponent at this his Examination) are subscribed with the proper hand writing of the Bp. with which the Deponent is well acquainted, and that *Powel* was present at the same Ordination.

M. Why then 'tis further apparent, that what was Sworn by *Meyrick* before, was in relation to this very Ordination in 91. because *Powel* Swears he was present at but one Ordination of the Bps. and therefore the Objection afore-mention'd is still the stronger against him.

L. Hear me out and then I won't trouble you much more, (*Powel* Promoters directly Swears, that he was present when Robert Owen was Ordain'd on 59 Winn. Trinity Sunday 1691. and that he did not then take the Oaths of Fidelity to King William and Queen Mary as the Law required, and that *Meyrick* was then also present, and that Owen's Orders (now shewn to the Deponent) are sign'd by the Bp. and Sealed with his Episcopal Seal.

M. 'Tis in vain to repeat the same thing over and over. 'Tis enough to say that *Powel's* Evidence is not to be credited for the reasons afore mention'd, *Qui nimum probat nihil probat.* He would make that a Crime in the Bp. which the Law does not make so; nay, contrary to Law. These two in short, laid their heads together to ruin the Bp. Swore as you see at all, when they had missed of their first aim: To it they went again; but having neither Truth in their hearts, nor the fear of God before their Eyes, God gave them up to believe a Lye, and in spite of all that their Friends can do must stand upon Record as two notoriously Perjur'd ungrateful Villains.

L. But would not the Bp. have done well to have clear'd his Innocence in case these two Swore falsely? Why did he not produce Witnesses to confront them, but says my Author being Conscious to himself of the Omission on Trini-

Part 4: ty-Sunday, 1691. he has not so much as alledged or Endeavour'd to prove that he did then gave the Oaths, tho' he had a fair Opportunity of bringing a Proof of it by Examining those that were Ordain'd, at the same time with

pag. 52. Owen.

M. But hark you Sir, why was not Owen himself Examined?

L. He was dead some time before.

M. Did he leave his Letters of Orders as a Legacy to Mr. Promoter or a Memorandum to *Edmond Meyrick* and *Powel*.

L. No. they came to Mr. Promoters hand by *Meyrick*.

M. Very good, and by the strength of this dead Letter (for in effect 'tis no other) *Edmond* and *Tom* were so revived, that they out-swore themselves, and what they had Deposed before, many Parangs.

L. Leave your personal Reflections and reply to my Argument.

M. No Sir, I'll turn it upon you again, had not *Lucy* been conscious to himself, that he could not Prove the Omission of the Oaths in 1691. by credible proper Witnesses, why did he not produce some of those that were Ordain'd at the same time with *Owen*?

L. I profess ingeniously I cannot tell. Now what say you? Why did not the Bp. call upon them and reap the Advantage of their Testimony, if it would have been for him?

M. Stay a little, till I step into my Study, and then I'll let you see a Passage in a certain Author, that will make thy Eyes tingle, read there first of all p. 430. (of the *Review of the Summary View*) l. 15.

L. On the 15th. of *December*, 1697. he the said *Lucy* the Promoter, doth annex and exhibit the Letters of Orders of Deacon, *Robert Owen*.—

M. Stop there, and then go to p. 431. L. 38.

L. The said Article, being exhibited by the Promoter, and receiv'd by his Grace of *Canterbury*, not only when the Process was drawing to a Conclusion, but even after his Metropolitanship had declared that he would receive no further Allegations from the Bp. towards his Vindication from what he was Accused of. Now as nothing could be more unjust.

M. Hold again, those are naughty words, let them alone and go on to p. 432. L. 23.

L. That as the Arch-Bishop concluded the Cause before, the Bp. of *St. Davids* could either have Witnesses examin'd in *Wales*, concerning his having Administred the Oaths, which the Law required on *Trinity Sunday*, 1691. (your Author can mistake too.)

M. That's only a slip of the Pen.

L. Or put in any Allegation of his being able to prove he had gi-

ven them. So notwithstanding my late Lord Chancellor *Somers* had Part 4.
promised in the House of Peers that the said Prelate should have Liberty before the Delegates, *Allegandi non allegata*, yet divers of those who were appointed Delegates, refused to admit his Allegations, or to hear the Witnesses whom his Lordship offer'd to produce, for proving that on the aforesaid *Trinity-Sunday*, 1691. he had Administred the Oaths.

M. Another mistake.

L. Which the Law appointed to those, that were Ordain'd—Thou dost manage me as thou pleasest, just as if I were a School Boy. Why should not I read all through?

M. Because there were some very severe Reflections that you shan't say I would divulge.

L. Nor will I say more at this time to the Writer of the *View*, save that if he think fit to reply (which I heartily wish he would, tho' I think he cannot do it otherwise, than in the manner and fashion he writ his *Summary View*, *Ut Rane in limo veterem coccinere querelam*) I do both solemnly promise to rejoin upon him, being *Et cantare pares & respondere parati*, and do also undertake so to do it, as that some people shall not have cause to thank him, for provoking as well as giving me further Opportunity of treating them as I shall be obliged— This Spark it seems, fears no colours.

M. Were you to read him through, you would say, that some People have no Reason to rejoice in the pretended Victory over the Bp. of *St. Davids*.

L. I find by the Glympse I have had of him, that he is no respecter of Persons. Is the Book common.

M. No, but I hear Dr. *Oates* has got hold of it, and begins to value himself upon his Veracity, and designs to Petition the Parliament, that *Meyrick*, *Griffiths* and the rest, may suffer as he did, being guilty of the same sort of Wickedness, nay in some Degrees beyond him.

L. Will you lend me the Book.

M. Yes, if you will promise to lend me the more compleat Account of the whole Proceedings, promised in the Preface, tho' I am half afraid that this dreadful Piece, has made the designed Author of that mighty Birth, miscarry of his Burthen. You will find in it (besides, an abundance of Law and Reason) such a full discovery of this Villainous Ecclesiastical Plot, hatcht in this unhappy Diocess against the Bishop, and withall you will see your beloved Dr. so severely chastized, that you will pity them both, the Bp. for the Wrongs he suffers, and the Dr. for the Punishment he endures, and must lie under, till his Name and Memory rot and perish: I could have thrown many horrid things

in the Teeth of your Witnesses, if I could have remembred half they are charged with here, but I was resolv'd only to follow you the way you were pleased to go, and if you have any more to say, go on.


L. You know what we were upon when you brought out this Book, the Ordination in 1691. Had the Bp. in good earnest any Witnesses to prove the administring the Oath on that Day.

M. Witnesses! Yes, and very substantial Evidence too; *Atkins, Williams and David Philips*, both ordain'd that very *Trinity Sunday* with *Robert Owen*, have publickly own'd, and are ready to be deposed that the Bp. before he ordain'd them, gave them both the Oaths requir'd by the first of *William and Mary*. And *Samuel Williams*, another Person then ordain'd, hath made Affidavit, viz. That he with *David Philips, John Lloyd, Atkins, Williams, Robert Owen, Samuel Pryse* and others, went to *Abergwilly* for holy Orders on *Trinity-Sunday, 1691*. And that with the Persons aforesaid, attending at *Abergwilly* the Week before the Ordination, did on *Saturday the 6th of June*, after their Examination and Subscription, take the Oath of Allegiance to *King William and Queen Mary*, in the Presence of the Bp. who administred it to them. And that the Bp. missing *Robert Owen*, sent him the said *Samuel Williams*, to call the said *Robert Owen*, to take the said Oath, which the Deponent having done, the said *Robert Owen* came and took the said Oath. And the said *Samuel Williams* hath further made Oath, that the day following being *Trinity-Sunday, 1691*. He with the Persons before named, in the Office of Ordination, and according to the direction thereof took the Oath of Supremacy, and that *Mr. Charles Pryse* late Precentor, *Edmund Meyrick* and *Thomas Powell*, were there and then present, when the Oath of Supremacy was administred.

L. The Bp. may thank himself so far as I can find, for his Sufferings, for why, since he could make so full a Defence, was he not more careful to bring in his Witnesses in time; you have alledged many things for him, which if proved, would certainly have brought him off clear, and cover'd his Adversaries with Confusion. You can't so much blame the Arch-Bp. as your own Diocesan, who in effect was his own worst Enemy.

M. Then is it not fitting that we should have a *melius inquirendum* in the Case?

L. If the Clergy of the Diocess will join, I'll be one of the first that shall Petition for it. 'Twill be a lasting Scandal upon us, that our Spiritual Father should be thus Traduc'd and Persecuted, hunted by a parcell of Villains, and we stand tamely by and see him worried. I own I had no good Opinion of him for some years last past, but if God gives

gives me Life, I'll make him amends for those unjust thoughts, by Part 4
 shewing more than a common Zeal for his Restauration. 

M. You have done then I suppose with your Author, does he pretend to urge any thing more against his Lordship.

L. Only flirts a Reflexion at him in his manner, that his Passion made him forget himself, when in 1697. He told *James Harris*, that he was sure he never omitted giving the Oaths but once, and that was when he ordain'd for another Bp.

M. That's stuff all over, and *Harris* so malicious a Witness, that he deserves no Credit. Why were not the Persons then ordain'd sent for, examin'd and the thing prov'd upon the Bp. Judicially. If every Person that has the Liberty to converse with a Bp. in private shall thereby have the Power to swear Confessions upon him, those Reverend Fathers of that Order, must be very careful of saying any thing without Witness.

L. I suppose they did not rest much upon this, for they do neither follow nor endeavour to confirm it.

M. Prethee how does thy Dr. conclude.

L. He's none of my Dr. I scorn and abhor him. However to satisfy your Curiosity, He finishes very triumphantly in his own imagination. Thus have I briefly run thro' what I at first proposed.

M. The defaming the Bp.

L. Not enlarging upon the Proof of a general Fame.

M. Whereas there was no such thing, and what there was of it was groundless and false.

L. But have confin'd my self to genuine Proofs of the Facts themselves

M. Which pretended Facts never were done.

L. For which I have faithfully referr'd to the Depositions.

M. That's false again, for some of them he has evidently misrepresented (the Depositions at length speaking quite contrary to what he would insinuate) others he has wrested beyond what they will bear in a just Construction, foisting in here and there his own fictions, and fancies with so much Impudence, that let him be who he will, I durst say to his Face, what I have talkt to thee, let him appear in the Defence of his filthy Libel if he dares, he shall be answer'd speedily and effectually, for many Heads must be laid low, before the Bp. will want one to assert the Justice of his Cause. But by your Authors Scandalous silence above two years since the Publication of the *Review*) he tacitly confesses his Inability, like an Owl affecting Night, and obscurity, as knowing that if he appear in Day light, he shall be used like one of those Birds of Darknes.

L. I have done with him, and prithee do thou give over?

The

The Postscript Answer'd, &c.

The Letter to a Peer Defended.

P A R T V.

M. **T**Ho' you will not insist longer on the merits of the Cause, surely you don't intend to drop that famous Postscript, in the suppos'd strength of which you were pleas'd to glory in the beginning of this Conference. I do as much doubt the Jurisdiction of that Court wherein the Bp. was first Condemn'd, as I do the Veracity of your Witnesses.

L. Had the Proofs held good, that Point would easily be made out.

M. Not so easily as you imagine, unless your Author has discovered some latent Power in the Metropolitan, which heretofore I never heard of; Notwithstanding the advantages I have gained, I durst freely wave them all, and join Issue with you upon that very Point.

L. Thou art like a bold Merchant venturing at all, till by an unlucky turn of Fortune, he is made Bankrupt.

M. If ever I break upon that bottom let no body pity me, I rather suspect that you are drawn low, and are diffident of your own Stock.

L. Nay then have at thee, you depend upon the Authority of a Letter to a Peer, concerning the Power of Metropolitans over their Com-provincial Bps.

M. Upon the Truth of it I do, and what I pray does Mr. Dr. object against that Gentlemans Opinion.

L. First in General, That he has only muster'd together a few old Canons, and pick'd up some Scraps out of the Epistles of one or two Popes, and very
 pag. 45. *Ancient writers, endeavouring from thence to prove, that a Bp. ought not to be Depriv'd but in a Provincial Synod, or by Twelve Bishops at least.*

M. And what Forces does your Hero rally together in Opposition to these?

L. He

L. He despises and ridicules them all.

M. And is that his way of dealing with the Testimony of Primitive Saints and Martyrs, and the Decrees of those Councils which were the Veneration of former Ages? Should the Epistolizer have quoted the Sacred Penmen, they I suppose would not have escaped his Buffonry?

L. No Sir, He knows better things than, *Ludere cum Sacris*; but as for the pretended Apostolical Canon, which the Letter writer so oft refers too, that he looks upon it to be better than a Jest, or a Blunder, the World's grown wiser than to be imposed upon by such a Fiction.

M. Which of them is it that you mean?

L. The 74th. according to the Quotation of your wise Author, *Tho' had he consulted them himself, he would have found it to be the 73^d. and the one to deserve the Name of Apostolical, as well as the other.* Sum View 54.

M. Either your Dr. or my Friend is guilty of a gross mistake. I have as it happens a very Authentick Collection of the Canons by me, publish'd by that Eminent Church Historian, Dr. Beveridge now Bp. of St. Asaph, that shall be Judge betwixt us.

L. Ay, with all my heart.

M. Here he is, see with thy own Eyes, and then we'll talk more of the matter.

L. A Bishop being accused of any thing by Persons of Credit, 'tis necessary that he be Summon'd by Bps. and if he appear, confess and be convict, let Ecclesiastical Censure be inflicted on him. But if being Summon'd he shall not obey, let him be call'd upon again by two Bishops sent to him for that very purpose. If out of Contumacy he will not after all this appear, let the Synod pronounce Sentence against him, &c. Canon 74.

M. From whence I gather, 1st. that none but Persons of Credit, ought to be admitted as Witnesses against a Bishop, 2^{ly}. That a Bishop according to the good old way, ought not to be Depriv'd but by a Synod, (neither of which Rules have been observ'd, in my Lord St. David's Case.) 3^{ly} and lastly, that your Dr. is either Scandalously Ignorant or Impudent, if not both. Had he encounter'd the Learn'd Beveridge, and endeavour'd to Demonstrate that he had Err'd in numbring up the Canons, the World would only have Laught at him for his Folly and Presumption, but peremptorily and in a Scoffing manner to tax a Writer with a False Quotation, which upon a strict enquiry appears Authentick and Just: Is such an affront to all Men of good Letters, such an abuse of the less Judicious, that he can expect no other than to be Spurn'd at and despis'd by all Mankind, that have a regard to Truth and Modesty.

L. I don't

Part. 5. *L.* I don't love Scandal so well, as to share with him by interposing in his behalf; but yet begging your Patience Sir, I am so far of my Drs Opinion, that this Canon, call it what you please, the 73. or 74. is not Apostolical, and therefore is nothing to the purpose.

M. Your reason, Sir?

L. They which do most zealously contend for the Authority of those Canons insist only on the first 50. as genuine giving up all the rest, and amongst them the 73 and 74 as spurious a distinction, that if he knew it, he ought to have added out of Respect to his Lord, who perhaps having no critical knowledge in Ecclesiastical affairs, might have been induced by that Pompous name, to think that Synodical Deprivations were Establish'd by no less Authority than that of the Apostles. And had he been so unfortunate as to urge it in some Publick Debate upon that Argument, it would not have been much for the Honour either of his supposed Lordship or his Chaplain, not only because it would appear strange to Men of Tolerable learning, to hear a Canon that has been exploded on all hands as spurious, gravely cited as Apostolical, but also because it stands in Company with other Constitutions that are as Foreign to us, as the Ceremonial Law.

M. Tom Hobbs in 20 Miles riding never invented so many Absurdities and Contradictions to truth, as thy Author en passant has bestow'd upon us in this half Paragraph, Fifty quoth he, are genuine, the rest spurious Ignorantly and rudely to Abomination, for if by Genuine he means (as he must if he believes any thing at all) that the first 50. were compiled or drawn up by the 12 Apostles, some of the very Canons themselves, are a Confutation of that Notion, seeing they manifestly owe their rise to Controversies which happen'd in the Christian Church, after the Apostles days. But yet that his Distinction may not seem either precarious or false, he tells you further with a wonderful Air of Assurance, That those who most zealously contend for the Authority of those Canons insist only on the 1st. 50. as Genuine, giving up all the rest as Spurious. Whereas every body that has made any thing of an enquiry into the Opinions of the learned in this Case, must needs know that Turrianus the Jesuite Zealously contended, and that not long ago, for the Apostolical Authority of every of them, and that in the highest Sense, as fram'd by the very Apostles of our Lord, and tho' wiser Men for good reasons have rejected that Notion, yet some of the most Considerable Writers of the last Age, and of our own Church, have been more prudent and modest, than to scandalize all but the first 50. is a Spurious Off-spring, Witness Dr. Gunning Bp. of Ely, in his Book concerning the Lent Fast, Bp. Pearsons Vindication of St. Ignatius his Epistles, and Bp. Beveridge's, *Codex Canonum Vindicatus*, each and every of these Celebrated Writers paying a great and just Deference to some of these very Canons, which

you

your left-handed blind Author strikes off (without Fear, Wit, or good Part 5. manners) as a bastard brood. Nay have spoke very respectfully of the whole Collection.

L I am apt to believe he is once more mistaken, but at the same time, cannot apprehend why any of those Canons, much less, why all of them should be called Apostolical, if not compiled by the inspired Twelve, whose Title they bear.

M. Bp. Gunning in his Lent fast will solve that difficulty in a few words. In the second Century of years after the death of the last of the Apostles (the Children of the Bride Chamber) I alledge first the Canons called Apostolical; not so called as made by the Apostles themselves, but by Apostolical Bps. (not seldom called in the Language of the Ancients *Ἀποστολικοί* Witness *Theodore* and others) as next or near Successors to the Apostles. The first 50 of which Canons were probably made in the foregoing Century, and the latter 35 in this Century (except only the *Assumentum* corruptly added to the last.) And all the 85 confirmed by the Sacred sixth General Council. Agreeable to which is what *Bp. Beveridge* lays down. *Nemini dubium esse potest quin singula Ecclesia ab ipsis Apostolis fundata aliquas ab ijs traditiones ac regulas acceperant. Cum progressu autem temporis diversis in locis diversa etiam sub Apostolorum, Nomine traditiones producerentur eo factum est, ut de ipsis etiam traditionibus disceptaretur adeo ut Episcopi in Synodis congregati in hujusmodi traditiones diligenter inquirerent, ut veras ac genuinas a falsis & supposititijs discernent. Quicquid autem ab ipsis Apostolis diserte traditum, vel alijs eorum traditionibus consonum esse post deliberationem in utramque partem factam judicabant illud sub Apostolorum ut videtur Nomine alijs commendare ac precipere solebant.* Which Collection whenever it was made, or what uncertainty soever there may be as to the precise time when it was finish'd, yet *Bp. Pearson* affirms that by the Council of *Ephesus*, by *Constantine* the great, and the Council of *Nice*, and before that by *Alexander* Bishop of *Alexandria*, they were approv'd, and therefore were set forth and accepted in the Church before the first General Council. So that suppose the Primitive Fathers did look upon some of them to be the immediate dictates of the Apostles, others to be only fram'd by Apostolical men, (those Ancient Bps. who were still'd *Ἀποστολικοί*) and tho they might reject some which in those times passed for Apostolical, yet there is as to this Collection no ground for that unmannerly distinction into Genuine and Spurious, which your Author wou'd foist upon Us. In this short abstract of the opinions of the Learned. You see why and in what Sense this very Collection was stiled Apostolical; as also what intolerable off. on. tery your Author is guilty of, who endeavours to delude the unwary credulous Reader, into a persuasion contrary to the express Judgment

pag. 40.

Codex Ca-
non. Vindi-
cat. lib. 1.
c. 2.

Vind. Ep.
St Ignatij
part 1. c. 4.
pag. 51, 52.

Part 5. ment of those three worthies aforementioned, and the current Sense of Antiquity. And now what if the Bp. of St. *David's*, or any body for him, had in some publick debate urged this Canon as an argument of the unprimitive measures which that Prelate has had at *Lambeth*, your Author should he have struck up against him with his pompous distinction, would at last have appear'd to be a shallow (however pert) Coxcomb. For whatever frivolous scruples some may have had as to this Collection, whatever weak objections some may have started against 35 or more of them, yet *That those who most zealously contend for their Authority insist only on the first 50 as genuine*, is demonstrated to be false, not only from that modern High-flown attempt of *Turrianus*, *Gruterus*. and others, but (which is very considerable) from under the hands of three substantial Witnesses; two of them the Glory of the former Age, and one the living learned Ornament of this.

L. The Devil was in my Dr. to engage thus vigorously in a controversy which he did not understand.

M. Bully like altogether, never doubting but that he could terrify a supposed inferior Clergyman into submission and silence and walk the Admiration of the Mob. He to talk of critical knowledge in Ecclesiastical affairs, nice distinctions, Arguments and tolerable Learning, when he is so intolerably shallow that he must be the standing jest of every Country Curate.

L. Enough, enough, you have got the Victory, don't insult.

M. I can be very mercifull to any one that has modesty, but insolence like his is insufferable.

L. Soft words and hard Arguments are best, Brother.

M. I own it when an Adversary has common Sense, and common Modesty, but what shall a man do with such an unusual extraordinary mixture of ignorance and arrogance, if he do not *expose* him to the wonder of some, for a caution to others. He does not offer any thing, which properly speaking, puts a man upon the exercise of his reason; but is always provoking either to a just indignation or laughter. What a weighty, that is to say, dull Argument, is it which he brings up in the close of his Harangue against the Apostolicallness of this Canon, because it *stands in Company with other Constitutions that are as foreign to us, as the Ceremonial Law*; Now in my weak apprehension, this very circumstance, is an indication of its Apostolical Antiquity, rather than an objection against it, because, 'tis manifest that in the first Preaching of the Gospel, and the forming of the Christian Church, the Apostles in Council assembled, did decree, that the Gentil Converts should in some Measure comply with the Jews in abstaining from blood, from things strangled, &c. Ordinances of the *Mosaical Oeconomy*, branches of the ceremonial Law, and

and therefore this Canon standing in company with such constitutions, Part 5: as are unquestionably Apostolical in the highest sense, any man but your Dr. unless there were strong reasons to the contrary, would upon upon this very account, the more willingly suffer even *this*, to pass under the same denomination.

L. In straining to give a him stroke, you have over-reacht your self, and weaken'd the Authority of that Canon on which you so much depend. For that Apostolical Decree, tho' Recorded in Scripture (so far forth as it is referr'd to in the 62 Canon) it became obsolete and null; *Acts 2.* and I am apt to think the 74th is out of doors along with it.

M. Not so fast, good Brother; for first of all there is not *par ratio* in both cases. The compliance of the *Gentiles* to the *Jewish* customs afore mention'd, was in obedience to a Temporary Injunction for preventing that Scandal which the *Jews* took at the liberty of the *Gentiles* in their way of Eating. But when in process of time it was found that this well-laid Stratagem had not its due effect, when the *Jews* in spight of conviction, and in contempt of all condescension would Judaize still, the Christians re-assum'd that naturally innocent freedom, which they and their Forefathers had long abstain'd from to no purpose. The reason of a Law is the very Being and Life of it, and when that fails, (as in this case) it dies of its self, but he must be a much nicer Man at Distinctions and Arguments than your Dr. is I'm sure, that can give a substantial reason why we in *England* should not be as cautious and tender in depriving a Bp. as the Primitive Fathers were, or if you will, why we should vary from the good old Rule handed down to us by unquestionable Tradition.

L. My Doctor throws that task upon the Letter Writer, for, quoth he, I believe it will puzzle the Epistoler, as Learned as he won'd seem to be in *Ancient Canons* to give a good reason why the 62 Canon (which prohibits the Eating of Flesh)

M. Which prohibits Flesh in, or with the blood, and torn with beasts, or strangled, he might have said if he had known any thing of the Canon.

L. And the 68th, which threatens deprivation for the breaking of Lent, are not as Authentick, and should not have as much respect shewn them in *England* as the 73. (he should have said the 74th) But his present business is only about the Authority in depriving, when he comes to make another Collection about the Causes of Deprivation, the other two may stand fair for a place in it. P. 55.

M. That Gentleman would certainly have been on the Dr. long before this, but that he despises so weak an Adversary, and thinks it below him to reply to the Impertinency of such a Trifler. That trouble, as it happens, is fallen upon me. The 62 Canon we have accounted for already, the reason of its Relaxation, or Abolition being sufficiently specify'd. As for the other, I must tell you by way of Preliminary.

Part 5. minary. 1st. That it grates upon me to hear the *Lent* Fast ridicul'd. If we do not think fit to follow the austerities of former times, if we will not let their Mortifications be an example to us, yet let us use such Abstinence as to avoid making a jest of what was once accounted a very venerable Institution, and that in our own Church many years after the Reformation, none but a person of your Authors dissingenuity, who values not what he says would have trump't up this Canon to no purpose, but only to upbraid us all for not coming up to the holy severities of the Primitive Christians, nay of our own Church before it was defaced with Phanaticism, over-turn'd (as to the Discipline) by Rebellion, and over-run thro' too much Licentiousness and Liberty of —

L. To the point in hand, prithee Man, or else we shall not at this way of talking and haranguing go to Bed to night.

M. Well then, to be short, your Author must be inform'd that succeeding Councils have thought fit to abate of the rigour of that Ordinance, lesser Penalties being impos'd upon the violaters of the *Lent* Fast, even where it is most strictly enjoin'd; so that should the Epistolizer take upon him in another un-answerable Letter to set forth the Causes of Deprivation as nicely as he has mark'd out in this the Authority, which (according to the Ecclesiastical Laws) is only competent to inflict the Censure, he would not reckon eating of Flesh in *Lent* for one, unless he had a mind to Write like thy Dr. at all adventures without consulting Authors or what drops from his Pen With your good leave therefore it rests still upon him to shew cause, why the 74. Canon should not be observ'd, the Causes drawn from the 62 and 68, being in no wise parallel to it.

L. I suppose he will do it, in the mean while let us proceed to what remains, and good friend be as brief as possible, for I am quite tir'd of the Argument.

M. I will consult my own rest as well as gratify your impatience. Go on.

L. In the next place 'tis objected against your friend, That to make out his Proposition, he cites a passage out of St. Cyprian, and is so fond of it, that after he had plac'd it in the Title Page in Latin, he brings it again in English.

M. And where's the harm of that; had it not been Translated, who knows whether the Dr. would have understood it?

L. I beg your pardon, Sir. He's much better acquainted with that Ancient Father than you imagine, and from other passages in his Writings does shew the weakness of that Argument which your Author would build upon his Authority.

M. As how.

L. He might, says he, from the Authority of St. Cyprian, as well have prov'd that an Archbishop ought to be Elected not only by the Bps. but by the general suffrage of the People.

M. That

M. That he might not, because he knew that the Council of *Laodicea* expressly forbids that the Election of such as are to be Ordain'd be at all in the People And he further learnt from other Monuments of Antiquity, that the numerous and turbulent Meetings upon Elections, gave occasion at last for the making general Laws whereby the People were quite excluded, and thereby Riots, Tumults, and Murders betwixt the differing Factions prevented. He knew also that a particular Statute of this Realm limits the power of Election altogether to the Clergy. But he knoweth not of any Canon or Statute which depriveth Synods of their Jurisdiction over offending Bps. and therefore supposes that without offence to any but the ignorant, he may still upon occasion quote *St. Cyprian* for Synodical deprivations, and that the Authority is good amongst us. Part 5.
Canon 12.

L. But answer me this then, *Might not your Author from St. Cyprian, as well have prov'd that an Archbishop ought not to act any thing without the Council of the Presbyters and Deacons of his Province, and the consent of the People, because St. Cyprian did so.* p. 56.

M. What *St. Cyprian* did in the times of Persecution, and the day of extremity, is not pretended to be a necessary general adequate Rule for the Catholick Church, but what he deliver'd to posterity as the Doctrine or Discipline of the best Ages, that I suppose we depend on as truth, and unless there be some express Law to the contrary, ought to act accordingly.

L. You have brought your friend pretty well off as to this particular; but he is more unfortunate in laying the greatest stress of Proof of his Proposition on the crazy Canons of the Council of *Antioch*, whereas that at most was but a private Council, and is markt out by *Sylvius* for an *Arrian One*. p. 56:

M. That the Council of *Antioch* was not a general one is no more news, that what he tells us afterwards that it was *Arrian*. But had he been half so honest or learned as he ought to be, he might have let us know withall, that together with the Heterodoxies advanc'd and publish'd by those false Fathers of the Church there Assembled, several of the Ancient Canons were by them explain'd, and intermix'd with their own ungodly Constitutions, in order to make the acts of that Council the more passant in the World. And whoever will be at the pains to consult *Bp. Beveridge*, will find it demonstrated, that except those Canons level'd by them against the Orthodox, the rest were taken out of the Apostolical Canon aforementioned, from whence I infer, that even that wicked Assembly paid a deference to that venerable Collection, and that they will rise up in Judgment against those, who like your Author make the Primitive Discipline of the purest Ages a laughing Stock, and a Derision. So far as that Council was erroneous, the Epistolizer detests their Tenets as much as any Man, but wherein they Codex Canonum Vin-
dicatus.
Lib. 1. c.
4.

Part 5. they stick to the receiv'd Tradition of the Church, he hopes he may go along with them, and if Mr. Doctor will not he may chuse.

L. Make the best of this Council, I won't give you a half-penny for all you will gain by it in *the point Controverted, when the 9th Canon thereof decrees Deposition against any Bishop who shall presume to apply to the Emperour without leave from his Metropolitan, and the Bps. his Brethren.*

P. 57.

M. The meaning pray, Sir, of this shrew'd objection, for I protest your Dr. talks now above my capacity.

L. Thus I apprehend him. Suppose we should admit of the Authority of this Council, yet it would be far from standing the Bp. in any stead *in the point Controverted, i. e. the illegality of his Deprivation, inasmuch as one of the Canons decrees Deposition against any Bp. who shall apply, &c.* Now the Bp. of St. David's having Appeal'd to the Crown from his Metropolitan, and without his Graces consent, therefore according to this very Council, he ought to be deposed for so doing.

Car: 12.

11.

M. As severe as you may think me to be against your Dr. yet I had more good nature in me, and more charity than to take his words in this sense, for as you interpret them, nothing can be more fallacious, nothing more impudent, for tho' the 12th does severely prohibic Appeals to the Emperour after Deprivation, yet it manifestly implies that that Deprivation, or first Sentence ought to be by a Synod, and to such as will not submit all hopes of ever being restor'd are utterly cut off, as appears by the close of it. But this is by no means the Bp. of St. David's case, nor can the edge of this rigorous determination be turn'd against him, inasmuch as he was not thus Synodically depriv'd, but by the sole pretended power pf his Metropolitan, a grievance too heavy for his Lordship to rest quietly under, wherefore, with your leave, I would rather suppose that the Dr. in this Remark of his, had an eye once to the Canon which forbids any Bp. without the consent of his Metropolitan to make a personal Application to the Emperour in any matter however Innocent or Lawful, and then applies it to the point Controverted, viz. the Illegality of Depriving a Bp. (according to the old way) otherwise than in a Synod; but very improperly, seeing 'tis manifestly the Sense of this Council, that in that way only Bps. ought to be Depriv'd, to which purpose only the Canons of this Council are Quoted by the Epistolizer. Had that Gentleman (no more his Lordship's Chaplain than his Graces, but only a Friend and Servant to Truth) had he I say asserted the Authority of that Council in gross, your Dr. might have charg'd him not only with Errour, but Heresie, and a Diminution of the

Royal

Royal Prerogative of Princes, but as 'tis evident from the Letter, Part 5. References are only made to those Canons which are consonant to the Ancient Primitive discipline of the Church, such as smell of Heterodoxy or faction, being left to stink in the Nostrils of Posterity and amongst them the 9th as your Dr. calls it.

L. But if this Council were thus erroneous in their decrees, 'tis little to the credit of your cause to have it quoted in this controversy.

M. *Quod ubique, quod semper, quod ab omnibus*, is a Rule left us for measuring and judging of truth, and certainly holds good in matters of discipline, as well as Doctrine. Many Fathers, many Councils have erred in several points, but are not therefore entirely rejected and exploded. What they have decreed and deliver'd agreeable to the reveal'd word, primitive Tradition, Reason and Equity have pass'd current, and been made use of by all judicious Writers, and if the Epistolizer has done no more, I hope he has neither prejudic'd the cause, nor discredited himself.

Vincentius
Lirinensis.

L. But what did he mean pray' by fetching *another of his Authorities from the Eighth General Council of Constantinople (as he calls it) held in the year 869, own'd as such perhaps by the Papists, because 'tis for their purpose, but never by any of the Reformation before.*

pag. 56.

M. One Fool may ask more questions, than twenty Wise men can answer in any tolerable time. To them we'll refer it, whether this Synod were oecumenical or no. Go you on to what the Epistolizer quotes from thence, and then make your Objections.

L. He Cites, *the tenth Canon of the tenth Action to shew, the necessity of a Synodical sentence, but had he look'd back, (if ever he look'd on it at all) to the third and seventh Canons of the same Action, he would have found such Sanctions, as would make an English man have a very contemptible opinion of them. The third (ut veneretur imagines) bids very fair for establishing Image Worship. As expressly enjoyning veneration to the Image of Christ as to his Holy Gospel. What think you of this worthy Canon.*

pag. 57.

M. If there be no more in it then what your Author mentions, I humbly conceive, that a man may without imputations of Popery, pay a moderately religious respect to Pictures, and Sculptures, representing the Historical Truths of the Bible, as well as to the Bible it self, the one being a representation of what was done in Colours and figures, the other in Syllables and Words; for my part, I wou'd no more throw dirt at, or trample under foot the Image of the Blessed Jesus, than I would willfully defile or misuse a page of the Evangelical or Apostolical Writings, tho' at the same time, I would no more than your self, or the most zealous Protestant, Wor-

ship

Part 5. ship the one, or the other, but if upon a fair and just construction, Image-worship was design'd, or in the least introduc'd by this Canon, I abhor it and remonstrate against it.

L. What think you afterwards of the seventh, *de non admittendis hostibus imaginum, that is so tender of the honour of Images, that it threatens a Clergy man with deprivation, if he suffer them to be painted in his Church by any hand that is not known to have a true veneration for them.*

M. If he have not a false, that is a superstitious or idolatrous Veneration for them, where's the harm of this caution. But what's all this to the purpose, suppose this Council had err'd as to these points, yet as to the subject of Church power, in deprivation of Bps. 'tis own'd to be Synodical, that is, undoubtedly agreeable to the discipline and practice of the primitive Church, and has no dependance on those other constitutions which your Author cavils at. Let me now ask you one question after the many Queries you have propos'd to me. Must we reject, renounce and despise every thing which the Papists hold and teach?

L. No, but I think I may say of this Council and all their Decrees, as my Dr. does of the *three Canons* cited by the Writer of this Letter out of the Council of Trent.

M. I expect with great impatience the weighty Sentence.

L. 'Tis thus then, *I presume no protestant can have any regard to them.*

M. May he read them?

L. Yes.

M. May he assent to the truth and equity of their Decrees? So far forth as they are proved from Scripture, or back'd by the Authority of Primitive Fathers and Ancient Councils, and not contrariant to the known establish'd Laws of this Land or National Church.

L. Should I grant you that, what need is there of running to them for the establishing, or advancing any point of discipline amongst us.

M. Pardon me there, Sir, we do not lay the foundation of Synodical Deprivations upon any Councils that are either Popish or inclinable that way, but rest chiefly upon the Authority of the Apostolical Canon and the concurrent Testimony and Suffrage of the most primitive Fathers and Ancient Councils, and if further to demonstrate the Universality of this Tradition, and the practice thereon we do shew, that the Romish Church approv'd of this method of depriving Bps by Synods in the ordinary way of Church Government, this must needs be allow'd to be a collateral sort of Evidence and should not be flouted at and derided, unless we have a mind to separate further from the Papists than either Charity or Truth do require.

require. 'Tis excellent advice given us by St. Paul: Give none offence, Part 5. neither to the Jews nor to the Gentiles, nor to the Church of God. i. e. as a Man may apply the Sacred Text to our times and circumstances, 1 Cor. 10. neither to Papists, Phanaticks, nor the Faithfull Fathers and Sons of the truly Catholick and Apostolick Church, all and every of which either are or may be scandalized by this uncanonical way of thrusting the Bishop of St. David's from his Episcopal See and Dignity.

L. Talk not too loud.

M. 'Tis in vain to strive to make a secret of what has been told in Gath, and publish'd in Askalon, and which undoubtedly we shall have retorted upon us, both from Rome and Geneva.

L. From Rome I suppose we may, because Synodical censures are allow'd and us'd by that Church with submission to the Pope. Your Author thinks he has clench'd the matter by an Authority from Leo the 4th in whose letter to the Bps. of England as the Epistolizer tells us, there is this passage, *Nullam damnationem Episcoporum unquam esse censemus nisi aut ante legitimum Numerum (qui fit per duodecim Episcopos aut certe probata Sententia per LXXII. idoneos Testes,* and the Epistolizer omitting the number of Witnesses, makes me as much suspect his sincerity in this, as I do his Judgment in other Quotations. pag. 18.

M. You have no reason to suspect either, but may see your Authors skill in his own Profession a Dr. of Laws, might know that as 72 Witnesses are requir'd to convict a Bp. so 44 are necessary for the Conviction of a Presbyter, and 27 of a Deacon, not of every Bp. Priest and Deacon, but only of the Cardinals of those respective Orders, great care hath been taken that those Pillars of the Romish Church should not be shaken by Malice and Obloquy. But two or three Witnesses duely qualify'd, are sufficient for the condemning any other Bp. or Clergyman, which Gratian tells us, is a Law now in force in the Church of Rome, and the best interpreter of the afore-said Letter. Decret. 2. p. 2. c. 2.

L. Then the Drs. jest upon the Bishop's ill luck to be condemn'd by only 65 Witnesses is quite spoiled

M. It is so, for if the Dr. tells right, there are not among them all two or three Legal, Honest, Pertinent and Unexceptionable Witnesses, fit to condemn any Criminal before a competent and impartial Judge. Several depose nothing to the purpose, many have down right Perjur'd themselves, and may expect to take their quarters in the next World with the Sons of Belial, who swore Naboth out of his Life and Vineyard, unless they repent and recant, which I heartily wish they may before they go hence, and be no more seen.

M

L. Amen

Part 5. *L.* Amen, I say, for they are a parcel of sad wretches, but what say you to the other part of the Quotations?

M. Only this, that there was such regard to Ancient Constitutions, and tender care of the Honour and safety of Bps. that it was judged reasonable, that an accused Bp. should have at least a Jury of his Order to be Judges of Facts, and not suffer Hell-hounds and Hackney Evidences to run a full cry, and hunt down a Father of the Church.

L. But was not the privilege of having at least 12 Bps besides the Metropolitan, to try and condemn a Bp. a Peculiar of the Cardinal Bps. at Rome.

Can. 4. *M.* No, by no means, the Council of *Antioch* declared, that a Presbyter was to be deposed by a Bp. and a Bp. by a Synod, but there being many difficulties in assembling Synods, the Council of *Carthage* provided that if a Bishop be Criminous, and all the Bps. of the Province can not conveniently meet, that the accused

Can. 12. may not continue under guilt he must be heard (or try'd) by 12 Bps. the learned Patriarch of *Antioch* gives an Instance of the strict observance of this Canon, in a Bp. that was deposed by the Arch Bp. of *Cyprus*, and 11 other Bps. and the Sentence was declared void in a Synod, because there were not 12 besides the Metropolitan :

Balsamon Whatever animated our Metropolitan to vary from Ancient Canons
in Can. 12. and Practice, and deprive one of his suffragans by his Own sole and single Authority, I will not dare to say whatever the reason was, neither the proofs of Witnesses, nor Evidence of the Facts, if the power were unquestionable seem to justify the sentence.

L. Enough of that. Ware *Scandalum*. Prithee listen and observe how my Author concludes this controversy. *And now I beg my Readers pardon*, says he.

M. Never Man had more reason, for all he has offer'd is either directly false, sophistical or impertinent.

L. Have patience, or else I'll give over. The pardon he begs is only for subjoyning this little specimen of the Epistolizers Judiciousness and fairness of arguing, and of the respect that is due to the Authorities he makes use of, to make good his proposition.

M. Let the equal Reader judge betwixt them.

p. 91. *L.* I am not at leisure (as he proceeds) to find out the Exceptions against his other Quotations.

M. In vain would he attempt it. For they are not only numerous but as clear as the Sun at Noon day.

Nid. *L.* Nor inclin'd further to disprove that, which if true would be nothing to his design and purpose.

M. How so?

L. Because

L. Because to make his Assertion good, he should have shewn that the Councils and Authorities he Quotes were Universally own'd by the Catholick Church. Part 5.

M. Does not the Learn'd Bp. Beveridge shew, that the general Councils of Nice, Constantinople, and Ephesus, approv'd of the Apostolical Canons, and particularly that the Council of Chalcedon accepted of, and ratify'd the 74, and acted according to it. What is an Universal Approbation if this were not? Cod. Canon. Vindicat.

L. He means so as that every National Church was govern'd by them in its proceedings in the matters therein defin'd. Lib. 1. 5.

M. Why could not he with all his Learning and critical Knowledge in Ecclesiastical affairs have given one instance of a Bp. depriv'd in the way of Church Government, otherwise than Synodically. One approv'd Example of this sort would have ended the Controversy. But tho' it has been long desir'd by some, and requir'd, if I mistake not by a learned Author, that such a Precedent should be Exhibited in defence of an absolute Metropolitcal power, yet there has been a total, deep, not to say scandalous Silence upon the point. Ibid.

L. I wonder at that.

M. I have done so till I am weary.

L. Hereafter perhaps you may have your expectation answer'd, in the mean while my Author thinks it requisite, before those Canons and Authorities can be admitted in this Debate, it should be shewn that they were particularly receiv'd by the Church of England, and so Incorporated into our Constitution, that we ought to regard and obey them. Postscript to the late Bp. of St. Asaph's Case.

M. As our Church is a Member of the Catholick Church, surely the Laws, Sanctions, and Constitutions of the Church Universal ought to have an influence, and be directory in Ecclesiastical Proceedings, unless we have in consideration of our own particular circumstances and necessities, Solemnly and Judicially ordain'd otherwise. And where is that Canon, where that Law or Statute, which restrains a Synod from sentencing a delinquent Bp? For tho' by the Act of Submission the Clergy relinquish'd, and were debarr'd from Enacting and Executing any new Canons without the Kings Licence, yet no Man I believe will argue from thence, that they parted with the Synodical power of depriving, or denouncing such Sentences as the Offenders against the Ecclesiastical Laws might deserve. It being prov'd in the close of that very Act, that such Canons, Constitutions, &c. already made, which be not contrariant, and repugnant to the Laws, Statutes, and Customs of this Realm, nor to the damage and hurt of the Kings Prerogative Royal, be still used and executed as they were afore the making this Act, till such time as they be view'd, search'd, or otherwise order'd, and determin'd by 32 persons, or the more part of them: When by this Act the King had power P. 59.

Part 5. to appoint the old Canons and Constitutions which had obtain'd in this Realm, were, and are still in force under the Limitation aforesaid. I would gladly know why those Canons concerning Deprivations, which were of Universal extent and use, may not well be thought still to remain in their full strength with us this day, being neither contrary to the Laws, Statutes, and Customs, nor hurtful to the Royal Prerogative.

27 H. 8. L. Was any thing done pursuant to that Statute.

L. 15. 35. M. Yes, the design was confirm'd by three Subsequent Acts; Com-
H. 8. L. 16. missions past for the purpose, and a Draught agreed to (which is yet in
3. L. 6. being) for reforming Ecclesiastical Laws, but never passing into a Law,
L. 11. is of no force, but very useful to shew the Opinions and Usage of
Reforma- those times.
tio Legum
Ecclesiasti- L. Was there any Provision made for Depriving Bps?
coram.

M. Yes.

L. What Power and Share had the Arch-bishop therein?

Titulo de
Depriva-
tione.

C. 2.

M. None but what the Kings Commission gave; for when any Bp. came in Danger of such sentence, the King was to appoint the Archbishop, and two other Bps. whom he pleased, that were eminent for Learning and Morals, to be Judges, who after diligent inspection, and consideration, should with Piety and Prudence determine the whole business, and afterwards because such sentence is cruel and fatal, it is provided that it shall not be given against a Bp. or Clergyman, unless the Party accused be Convicted by three duly qualify'd, able Witnessees, or confesseth the Facts, or that they are so evident and perspicuous, that no doubt can be made thereof.

C. 4.

L. I perceive the Ancient Canons for Tryals by Provincial Synods, or at least 12 Bps. would not have been the rule if that design had succeeded.

M. It is true, but they by that Statute are in force till such Alterations was Legally made, and the Archbishop had no power inherent in him as Archbishop, and if no Statute or Law made since Edward 6th hath Cloathed him therewith, neither Inference, Supposition, Innuendo, or Presumption can I conceive entitle him to that Authority and Jurisdiction assum'd in this Cause.

L. Can you instance in any Bp. that was proceeded against Synodically since the Reformation?

Cyprian.
Rediv.
P. 418.

M. Yes, Dr. Heylin tells you of Godfrey Goodman Bp. of Gloucester, Refusing to subscribe the Acts of the Convocation, when neither Commands nor Persuasions could work upon him, the Prolocutor and Clergy of the Lower House were requir'd to return to their own House again, and to consider of the Penalty which he had incurr'd according to the Rules and practice of the
All Synod. Catholick Church, in National and Provincial Councils. Both Houses, as
An. 1640. he therein informs you agreed, in Suspending him, ab officio & beneficio,
some

some say depriving, him the dangerous effects whereof this obstinate Prelate Part 5. prevented by a timely Submission.

L. Have you the Authority of any other Celebrated Modern Divine for this Opinion or Practice?

M. Yes, of one, who to you I know will be *instar omnium*. I'll fetch him you immediately. There look p. 351.
l. 4.

L. Provincial Synods were begun in the second Century, which appears from many Synods held about the day for observing Easter. Another Expedient they had when a Bp. was Heretical, that the Neighbouring Bps. used to publish it in their Circular Letters, which went around, and so they did Excommunicate, or Depose him, but the regular way of Procedure against Bps. was in Provincial Synods. Who is this Author.

M. One who Quotes that Apostolical Canon very briskly, which your Dr. does so flout and trample upon. p. 320.
l. 9.

L. That may be, for Mr. Dr. I find is but a very indifferent Canonist. Now for the Title Page. *A Vindication of the Authority, Constitution, and Laws of the Church of Scotland, in Four Conferences, &c. By GILBERT BURNET, Professor of Theology in Glasgow.* Sure this is not my most Reverend of Sarum?

M. The very same.

L. Why he was one of the Archbishops Assessors in the Bps. Cause, and concern'd in the Sentence.

M. Directly contrary to the Opinion of *Gilb. Burnet*, Professor of Glasgow.

L. God bless me! How comes this about? Let me view the Passage again. *But the Regular way—in Provincial Synods, which were now offer'd to be set up. Yet even, &c.* this is nothing to our purpose—with this he ended—saying—O! Sir, your humble Servant. This is none of the Drs. Opinion, but the words of another person.

M. I own it, but such a person as he Quotes with a great deal of deference, and in whose Judgment he entirely acquiesces at that time, as you will find if you Read on.

L. Saying he had now propos'd what occur'd of a sudden to his Thoughts on these Heads, tho' he believ'd much more might be added, but he supposed there was enough said to clear these particulars; and it seems the person who had engag'd him to this, Judged so, since neither he, nor any of his Brethren offer'd a Reply. And by this account, of the Truth whereof I am willing all there present bear Witness. Let the Company judge of the Ingenuity of those Writers. Come shall we go to Bed, the Cause I think is over. p. 351.

M. I will give you another, and a stronger Opinion of the same Author, after he had the thanks of both Houses of Parliament, and their desires that he would proceed to perfect what he had begun.

He

Printed
1673.

Part. 5. He answers the objection to *Saunders*, that the Bps. were deposed from their Degree in these words; the Bps were not deposed from their Degree, but depriv'd of their Bishopricks, for they having accepted Commissions by which they held their Bishopricks only during the Kings pleasure, they might well be depriv'd by a sentence of the Delegates; But had they been to be Deposed and thrust from their Order it must have been by a Synod of Bps. They were deposed as many Bps were under Christian Emperors, by selected Synods that sat in the Court, and Judged of the complaints that were brought before the Emperor. I think this opinion of unquestionable Authority will fully satisfy you as to this cause.

*History of
the Reformation
by
Gilbert
Burnet
D.D. Vol.
2. appen-
dix p. 391,
392.
Printed
1683.*

L. Yea verily, and I am resolv'd for my Lord of *Sarum's* sake, never hereafter to rely upon any mans Judgment or Determination till I know all that Possibly can be known *pro* and *con*.

M. Have you done with your Dr. too?

L. There's only one Paragraph more which you shall have, if your curiosity so require, but I think 'tis little to the purpose.

M. Lets have it however.

L. In the framing of Ecclesiastical Laws, there is doubtless a great veneration due to Primitive practice, where that was constant and uniform in all Christian Churches, and is in the matter of it as suitable to our Age and Nation as it was to theirs.

Sum. View. *M.* It seems as if after all his prevarications, he had a mind to make an honest Exit, I like this proposition extremely well.

p. 59.

L. But I think all National Churches have ever thought themselves at Liberty to accommodate their Constitutions in point of Discipline to the time and circumstances in which they live.

M. I join with him in that exception.

L. Then take the conclusion along with it. Therefore here in England tho' we have receiv'd the four first general Councils, and establish'd them by a positive Law, yet that is done only in points of Doctrine, and if an exact Imitation of the Discipline therein prescribed should once obtain here, it would I conceive produce a body of Laws very unsuitable to the present condition and circumstances of our Church.

Ibid.

M. An exact Imitation of Primitive Discipline, is what no Man ever yet propos'd or endeavour'd to establish in the Church of England; so that in this point your Author has no adversary, but is playing with his second self, his own dear empty shadow. Could he in proof of his Assumption have demonstrated, that this National Church, by any particular Constitution had prescrib'd a way for the depriving of Bps. contrary to the Primitive method, which is the point controverted, then he had done something, but instead of that, he makes his conclusion wide and general, leaving that position firm and

and unshaken, which he gladly would, but in vain attempted, to bat-
 ter and undermine. In a word, after all the mighty flourish he has
 made, he has in good earnest only been *exactly Imitating* the Snake
 in *Aesop*, which would have Eaten a File, but it was too hard for
 him. Like that poisonous Beast in the Apologue, he has left some
 of the filth of his Mouth upon the Epistolizers fair performance, but
 the Substance evidently remains impenetrated, and so will continue as
 long as truth and order do prevail amongst us. Part. 5.

L. Do you think then that there is no legal way of depriving
 a Bp. but by a Synod?

M. No Canonical way I'm sure. Parliaments 'tis true, for the se-
 curity of the Government, have as we all know, enacted Statutes
 with depriving Clauses, in case those of the Hierarchy would not
 comply with the conditions therein requir'd, but this is foreign to
 our purpose, and out of the question now in debate, which is, whe-
 ther a Bp. can be Legally and Canonically depriv'd by the sole
 power of his Metropolitan, or ought to be censur'd and sentenced
 Synodically.

L. But what if any one or more Statutes of this Realm, have lodg'd
 such a power in the Arch-Bp., where is your Bp. then?

M. In a State of Deprivation to all intents and purposes. But when
 was that Law enacted, or where is it to be found?

L. Some where without doubt otherwise the delegates would ne-
 ver have confirm'd the Arch-Bishops sentence, nor the Barons or
 Judges in the Exchequer have given the same determination in ju-
 stification of his Graces procedure.

M. Did you ever hear any body quote such a Law, or mention
 the Reign, or Year wherein it was made?

L. No, but I suppose there is such an one in force.

M. If there be, with all due deference to my Superiours, I humbly
 conceive, that it would be much for the future security of this Na-
 tional Church, that that Law were abrogated and null'd.

L. Why so.

M. Because otherwise our Religion, I mean the outward peace-
 able profession of it, notwithstanding that establishment we so much
 glory in, may possibly be overturn'd and taken from us. For if it
 be part of that power or prerogative, legally inherent in an *En-
 glish* Metropolitan, that he may deprive a comprovincial Bp. by his
 own sole Authority; then should a King or Queen arise in *England*
 hereafter (for during her Majesty's Blessed Reign we are safe enough
 from any innovation) but should any person hereafter vested with
 the Supream Power, have a design to bring in Popery, Socinianism,
 Presbytery or moderate Episcopacy (as some phrase it) 'tis but ma-
 king

Part 5. king an Archbishop or two according to their own Heart, and the work is more than half done. For then in the plenitude of that Archiepiscopal power the Bishops of each Province may be soon crush'd by their Metropolitan, if they will not comply with the intended Reformation; and their Sees fill'd with such as will. The inferior Clergy with a little Labour may hereupon be dispos'd of, or sent to beg their bread, seeing they could have no place of Appeal, but out of the Frying-pan into the Fire, and what a deplorable miserable condition may this Church, now the Glory of the Christian World, possibly be reduc'd to, should this power you are Pleading for, descend to succeeding Metropolitans. Had the Politicians of former or a late Reign, apprehended any such legal Power in an Archbishop they need never have troubled themselves with setting up the high Commission Court, when by a Law of our own still in force (as you say) they might have so order'd the matter as to deprive every Orthodox Clergyman in the Nation.

L. Troth you say right, the consequence of such power may be dismal, and therefore ought (me thinks) in prudence to be prevented. But as to the Point in hand, if there be such a Statute as lodges a depriving power in the Archbishop, then our Diocesan is gone beyond redemption.

M. If there be, but where is it? Why did not your Dr. the mighty Champion for his Grace, produce it, and finish the Controversy, with such an Unanswerable Objection. Your Inference drawn from the Judgment of the Courts aforementioned, has that weight with me, that I won't presume to say there is no such Law. Tho' at the same time I must confess I cannot think the Bp. of St. David's so mad, senseless, and extravagant, as to squander his Time and Money, and render himself ridiculous by flying from one Court to another, nay to the highest Court of the Kingdom, from the Archbishops Jurisdiction, in case that were supported by a known Statute of the Realm. In this Sessions of Parliament, Friend, this point may be laid before, and left to the Debate of the House of Lords, where a much greater freedom of Speech may be us'd, than we even in private may pretend to. And may the good God, who loveth Righteousness, and who will in no wise clear the Guilty, so enlighten their Understandings, and influence their Councils, that they may, without respect of Persons, in Justice and Equity determine this weighty Cause.

L. Amen.

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F I N I S.

E R R A T A.

Page 13. for tow r. now. p. 18. f. in r. near. p. 29. f. stais r. starr. p. 37 dele. been. p. 39. f. Delinquents r. Delegates. p. 40. f. or r. so. and f. Deans r. Prebendaries. p. 43. r. proud. p. 46. after Non del. the, and after have, insert done. p. 48. r. trifle. and f. no. r. any. p. 49. r. Mrs. p. 55. f. it r. in. p. 57. l. 7. r. Supremacy. p. 60. r. Superscriptions. p. 62. r. Lingue. p. 67. r. rane. p. 72. f. is r. as. p. 78. r. Ephesus. p. 79. r. answer. p. 80. r. admittendis.